IN THE
SUPREME COURT OF THE UNITED STATES

NO. 1

EARL V. HOGAN

vs.

LLOYD E JAMES SR.,
and
LYNETT JAMES

JURISDICTIONAL STATEMENT

Appeal from the Order of the Court of Appeals of Maryland Dismissing Declaration

EARL V. HOGAN
Proper Person

EARL V. HOGAN,
1902 Lebanon Street
Adelphi, Maryland 20783

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JURISDICTIONAL STATEMENT

IN THE SUPREME COURT OF THE UNITED STATES

EARL V. HOGAN,
1902 Lebanon Street,
Adelphi, Maryland 20783.

vs.

LLOYD E. JAMES, SR.,
1904 Lebanon Street,
Adelphi, Maryland 20783.

AND

LYNETT JAMES,
1904 Lebanon Street,
Adelphi, Maryland 20783.

JURISDICTIONAL STATEMENT BY EARL V. HOGAN AS REQUIRED BY SUPREME COURT OF THE UNITED STATES, RULE 15.

To the HONORABLE, the Chief Justice and the ASSOCIATE JUSTICES of the SUPREME COURT OF THE UNITED STATES

Earl V. Hogan respectfully files this jurisdictional statement as required by Rule 15 for the consideration and approval of this HONORABLE COURT.

JURISDICTION IS FOUNDED IN:

1. In The Preamble to The Constitution of The United States.

2. 1st. Amendment to The Constitution of The United States: "Petition The Government for a redress of grievances"

3. 4th. Amendment to The United States Constitution.

4. 5th. Amendment to The United States Constitution.

5. 14th. Amendment to The United States Constitution.

6. Civil Rights Acts of The United States Congress.

...o0o...

EARL V. HOGAN	*	In The
v.	*	Court of Appeals
LLOYD E. JAMES, SR. and LYNETTE JAMES	*	of Maryland
	*	No. 210
	*	September Term, 1969
	*	

DOCKET ENTRIES

Appeal from the Circuit Court for Howard County.

Filed: August 22, 1969.

September 23, 1969: Appellant's brief filed.

October 6, 1969: Motion to dismiss appeal filed.

October 9, 1969: Answer to above motion filed.

October 9, 1969: Motion to dismiss appeal granted and appeal dismissed.

October 15, 1969: Order for appeal to the Supreme Court of the United States filed.

November 10, 1969: Motion filed requesting case file to be transmitted to Supreme Court.

November 13, 1969: Above motion granted and staying mandate pending application to Supreme Court of United States, etc.

...ooo...

CLERK'S CERTIFICATE

STATE OF MARYLAND, Sct:

I, J. LLOYD YOUNG, Clerk of the Court of Appeals of Maryland, the highest Court of said State, with final jurisdiction on appeals from the trial courts therein, do hereby certify that the foregoing are full and true copies of the documents, originals of which are on file in the office of said Clerk in the appeal of EARL V. HOGAN v. LLOYD E. JAMES, SR. and LYNETTE JAMES, No. 210, September Term, 1969.

1. Docket Entries of the Court of Appeals.

2. Appellant's Brief filed in this office on September 23, 1969.

3. Motion to dismiss appeal filed on October 6, 1969.

4. Answer to motion to dismiss filed on October 9, 1969.

5. Order re motion to dismiss dated October 9, 1969.

6. Order for appeal to Supreme Court of United States filed on October 15, 1969.

7. Motion requesting case file to be transmitted to Supreme Court filed on November 10, 1969.

8. Order of Court dated November 13, 1969.

I FURTHER CERTIFY that the original transcript of record, docketed in this Court on August 22, 1969, is incorporated in the record on appeal to the Supreme Court of the United States, in accordance with the Order of this Court dated November 13, 1969.

IN TESTIMONY WHEREOF, I have hereunto set my hand as Clerk and affixed the seal of the Court of Appeals of Maryland this twenty-fourth day of November, 1969.

_____

Clerk.
Court of Appeals of
Maryland

...ooo...

MOTION BY APPELLANT REQUESTING THAT THE CASE FILE BE TRANSMITTED TO THE SUPREME COURT OF THE UNITED STATES OF AMERICA

(Number and title omitted)

Comes now The Appellant requesting that the case file of above captioned case be transmitted in full to The Supreme Court of The United States of America.

Respt.,

s/ Earl V Hogan
Earl V. Hogan, 1902 Lebanon St., Adelphi, Md. 20783
301 - 434 - 0210

...ooo...

ORDER GRANTING APPELLANT'S REQUEST THAT RECORD BE TRANSMITTED TO THE SUPREME COURT OF THE UNITED STATES

(Number and title omitted)

Upon consideration of appellant's request that record be transmitted to the Supreme Court of the United States, it is, this 13th day of November, 1969,

ORDERED, by the Court of Appeals of Maryland, that said request be, and it is hereby, granted and that the issuance of the mandate in the above entitled case be stayed pending application for review of the decision of this Court to the Supreme Court of the United States, and until final decision by that Court, unless

otherwise ordered by this Court or by the Supreme Court of the United States, provided such application for review be timely filed in the Supreme Court.

/s/ Hall Hammond
Chief Judge

(SEAL)

...ooo...

ORDER FOR APPEAL TO: THE SUPREME COURT OF THE UNITED STATES

(Number and title omitted)

Comes now the Appellant, Earl V. Hogan, and orders an appeal of this case TO: THE SUPREME COURT OF THE UNITED STATES OF AMERICA,

WASHINGTON, D.C. 20001.

RESPT.,

s/ Earl V. Hogan
Earl V. Hogan,
Appellant, 1902 Lebanon St., Adelphi, Md. 20783.

...ooo...

LETTER TO JOSEPH R. TYRRELL, JR., ESQ. FROM J. LLOYD YOUNG, CLERK, DATED OCTOBER 9, 1969

Joseph R. Tyrrell, Jr., Esq.
Attorney at Law
4310 Hamilton Street
Hyattsville, Maryland 20781

Dear Mr. Tyrrell:

The Court has considered your motion, filed October 6, 1969, to dismiss the appeal in the case of Earl V. Hogan vs. Lloyd E. James, Sr., et al., No. 210, September Term, 1969, together with the answer filed thereto today and, for your information, said motion was granted and the appeal dismissed this date.

Very truly yours,

J. LLOYD YOUNG, Clerk

By: JAMES H. NORRIS, JR.
Chief Deputy

JHNjr/jr
cc: Mr. Earl V. Hogan
P.S. Should appellant desire any of the copies of his brief filed on September 23rd, we ask that he advise us promptly; otherwise, we will dispose of them.

...000...

MOTION TO DISMISS APPEAL

(Number and title omitted)

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Comes now the Appellees, Lloyd F. James, Sr. and Lynette James, by their attorney, Joseph R. Tyrrell, Jr., and moves, pursuant to Maryland Rule 835 b. (5) of the Annotated Code of Maryland (1968 Replacement Volume), that this Honorable Court pass an Order dismissing the Appellant's Appeal, and represents the following:

1. That the Brief filed by the Appellant does not contain such extracts of the record as may reasonably be necessary for the determination of the questions presented by the appeal, including, inter alia, (1) the judgment appealed from, together with the opinion or charge of the lower court; and, (2) so much of the evidence, pleadings and other parts of the record as is material to any question the determination of which depends upon the sufficiency of the evidence, pleadings and other matter contained in the record of the lower court.

WHEREFORE, THE PREMISES CONSIDERED, the Appellees pray:

1. That this Honorable Court pass an Order dismissing the appeal of the Appellant.

2. And for such other and further relief as to the Court may seem just and proper.

s/ Joseph R. Tyrrell, Jr.
Joseph R. Tyrrell, Jr.
Attorney for Appellees
4310 Hamilton Street
Hyattsville, Maryland 20781
779-6111

POINTS AND AUTHORITIES

Maryland Rules of Procedure, Rule 835; Rule 828 b.1(a & b).
Bernstein vs. State Tax Commission, 227 Md. 331, 176 A.(2d) 859.
Anderson vs. Hull, 226 Md. 497, 174 A.(2d) 192.

AFFIDAVIT

I, the undersigned, do solemly swear, this 6th day of October, 1969, that the facts stated in support of the foregoing Motion are true and correct to the best of my knowledge and belief.

s/ Joseph R. Tyrrell, Jr.
Joseph R. Tyrrell, Jr.
Attorney for Appellees

STATE OF MARYLAND
: ss:
COUNTY OF PRINCE GEORGE'S

I HEREBY CERTIFY that on this 6th day of October, 1969, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared JOSEPH R. TYRRELL, JR., Attorney

for Appellees, and made oath in due form of law that the matters and facts set forth in the foregoing Motion are true.

WITNESS my hand and notarial seal.

s/ Jeanne Hunt
NOTARY PUBLIC

My Commission expires:
July 1, 1974.

(SEAL)

ORDER

(Number and title omitted)

Upon consideration of the Appellee's Motion to Dismiss Appeal, and Affidavit thereto, it appearing to the Court that good cause has been shown for the relief prayed, it is this _____ day of _____, 1969, hereby

ORDERED, that the Appeal of Earl V. Hogan, Appellant, be and is hereby Dismissed.

_____

_____

_____

_____

_____

...o0o...

APPELLANT'S ANSWER TO THE FOLLY OF APPELLEES' MOTION TO DISMISS APPEAL

(Number and title omitted)

Comes now Earl V. Hogan, Appellant in proper person and certifies that Appellant's Brief does conform to Maryland Rule 835 b (5) of the Annotated Code of Maryland (Not amended or listed in 1968 Replacement Volume), and does conform to Rule 828, Section b, 1(a & b) AND Appellant moves that the appeal be sustained.

Every word written, or verbal of the case has been submitted with the Appeal from Howard County.

This is an appeal from motion to dismiss BEFORE TRIAL: Inter alia, there has been no trial, there has been no judgement, there have been no opinion or charge of the lower court, there has been no evidence, there has been no pleadings or other matters concerning a trial.

WHEREFORE, THE PREMISES CONSIDERED, the Appellant prays:

1. That this Honorable Court pass an Order sustaining the appeal of Appellant.

2. And that this Honorable Court grant Appellant A Summary Judgement.

Reference IN POINTS AND AUTHORITIES: Refer to cases appealed from TRIAL JUDGEMENTS, and have no bearing on this appeal from dismissal by MOTION.

s/ Earl V. Hogan

AFFIDAVIT

I, the undersigned, do solemly swear, this 8th. day of October, 1969, that the facts stated in support of the foregoing Instrument are true and correct to the best of my knowledge and belief.

s/ Earl V. Hogan
Earl V. Hogan, Appellant

STATE OF MARYLAND)
COUNTY OF PRINCE GEORGE'S) ss:

I HEREBY CERTIFY that on this 8th. day of October, 1969, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Earl V. Hogan, Appellant, and made oath in due form of law that the matters and facts set forth in the foregoing instrument are true.

WITNESS my hand and notarial seal.
My Commission expires 7-1-70

s/ Row F. Bilbo

...o0o...

APPELLANTS' BRIEF

(Number and title omitted)

STATEMENT OF THE CASE

This is an appeal from an order of the Circuit Court for Howard County (Judge Mayfield) in granting Appellee's Motion To Dismiss, based on Appellant's failure to answer SO CALLED INTERROGATORIES' The Hearing occurred on May 23rd, 1969. Dismissal was granted.

QUESTION PRESENTED

IMPROPRIETY of Appellee's SO CALLED INTERROGATORIES.

STATEMENT OF FACTS

Appellee's Motion to Dismiss noted Points and Authority: Maryland Rules of Procedure: Rule 417B-1; Rule 417 D.

Said rules refer strictly to DEPOSITIONS. There was no Court Order for Depositions in this case. No depositions were taken.

Appellee's INTERROGATORIES noted "Propounded pursuant to Maryland Rule." No Rule Number was given. NO MARYLAND RULE EXISTS to cover this CASE. MARYLAND No. 10 RULE INDEX BOOK lists rules on interrogatories as: Attachments & Garnishments; Nonresidents or Absconding Debtors; Bankruptcy & Insolvency; Declatory Judgements; Deposition & Discovery; Examiner Equity Rule; Taxation; Assessments; Revenue & Taxes; Wills; Persons exhibiting

wills for probation.

SCENARIO

Two thug lawyers standing before an aging judge, expressing pity for the legal ignorance of Plaintiff in proper person, pleading for dismissal on a vicious, malicious MOTION, affecting prejudice from the bench.

CONCLUSION

Appellant requests that a capable jurist be assigned to hear this Complaint and grant judgment for Damages demanded.

Respectfully submitted,

Earl V. Hogan, Appellant

...ooo...

IN THE CIRCUIT COURT

FOR

HOWARD COUNTY

AT LAW

EARL V. HOGAN

VS.

LLOYD E. JAMES SR.
LYNETTE JAMES

COUNSEL FOR PLAINTIFF

EARL V. HOGAN

COUNSEL FOR DEFENDANT

JOSEPH R. TYRRELL, JR.
LLOYD E. JAMES, SR.

(1) 14" November 1968 Record and docket entries from the Circuit Court for Calvert County Law No. 1911 fd. (2) 8" May 1969 Motion to Dismiss Plaintiffs Declaration as to Defendany, Lloyd E. James, Sr. fd. Copy mailed. (3) 19" May 1969 Plaintiffs Answer to Defendants Motion to Dismiss Opposition fd. Copy mailed. 23" May 1969 Hearing had on Motion to dismiss Opposition. Same day Appearance of Earl V. Hogan, Esq., in proper person. Same day appearance of Joseph R. Tyrrell, Jr., Esq. and Lloyd E. James, Sr. Esq.,

entered as co-counsel for the Defendants. Same day Motion of Joseph R. Tyrrell, Jr., Esq. to Dismiss Opposition. Same day Motion granted (Judge Mayfield). (4) 29" May 1969 Order by Attorney for Plaintiff to enter Appeal to Court of Appeals of Maryland fd. Copy mailed. (5) 25" June 1969 Order of Court extending transmittal of record to Court of Appeals to August 22, 1969. 20" August 1969 Stenographers Transcript of Testimony fd. 21" August 1969 Record mailed to the Court of Appeals of Maryland.

IN THE CIRCUIT COURT FOR HOWARD COUNTY.

EARL V. HOSAN :

vs. : NO. A-3987 LAW

LLOYD E. JAMES, SR. : Friday, May 23rd,
and 1969
LYNETTE JAMES :

::::::::

ORDER OF COURT

It appearing to this Court that it will be impossible to prepare a transcript within the thirty days as provided in Rule 825 (a),

It is, thereupon, this 25th day of June, 1969, by the Circuit Court for Howard County, ORDERED that the time for transmitting the record in the above entitled case to the Court of Appeals be, and the same is hereby, extended to August 22nd, 1969, in accordance with the provisions of Rule 825 (b).

TRUE COPY TEST
s/ C Merritt Humphrey CLERK

s/ James Macgill
Chief Judge

...oOo...

COURT OF APPEALS OF MARYLAND

No. 210 September Term, 1969

Earl V. Hogan	:	Earl V. Hogan, in proper person appellant
v.	:	
Lloyd E. James, Sr. and Lynette James	:	Joseph R. Tyrrell, Jr. Eloyd E. James, Sr. Attorneys for appellee

STATE OF MARYLAND, Set:

I hereby certify that on the twenty-second day of August nineteen hundred and sixty-nine I received from the Circuit Court for Howard County Transcript of Record in the above entitled case.

Brief for appellant due to be filed October 1, 1969.

s/ J. Lloyd Young
Clerk of the Court of
Appeals of Maryland.

...oOo...

IN THE CIRCUIT COURT FOR

HOWARD COUNTY, MARYLAND

EARL V. HOGAN,
1902 LEBANON ST.,
ADELPHI, MARYLAND 20783
Plaintiff

vs.

LLOYD E. JAMES, SR.,
1904 LEBANON ST.,
ADELPHI, MARYLAND 20783

and

LYNETTE JAMES,
1904 LEBANON ST.,
ADELPHI, MARYLAND 20783
Defendant(s)

ORDER FOR APPEAL

Comes now the Plaintiff (pro se) and files with the COURT to appeal to the Appeals Court for a ruling on the IMPROPRIETY of Defendant's INTERROGATORIES as presented in Plaintiff's Answer to Defendant's Motion To Dismiss - OPPOSITION. THE ISSUE: Defendant is on trial, not the Plaintiff.

If Plaintiff's appeal to deny dismissal is sustained, the case is to be remanded to the Circuit Court for Howard County, Maryland for proceedings of TRIAL.

RESPECTFULLY,

Earl V. Hogan

TRANSCRIPT OF PROCEEDINGS
Friday, May 23, 1969

(Number and title omitted)

BEFORE: JUDGE J. HUNT MAYFIELD

APPEARANCES:

Earl V. Hogan, in proper person.

Joseph R. Tyrrell, Jr., Esquire, Counsel for the defendant.

Walter T. Schaeffer, Clerk of the Court

E. Melva Reeger, Court Reporter

COURT:
Hogan vs. Eastridge and Hogan vs. James. Now, who appears for the plaintiff, Mr. Hogan?

Mr. Tyrell:
Mr. Hogan I understand is in proper party, Your Honor.

COURT:
Is this Mr. Hogan?

Mr. Hogan:
Yes, sir.

COURT:
And you are Mr. Tyrell?

Mr. Tyrell:
Tyrell, Your Honor, and this is my law partner, Mr. James who is involved in this case.

COURT:

Mr. James, how do you do.

Mr. James:

How do you <u>so</u>, sir.

Mr. Tyrrell:

....and in the Eastridge case, he is the attorney for Mrs. Eastridge, as well as being the defendant in the other case.

COURT:

Gentlemen, I haven't the slightest idea of what this case is about. What are we on here this morning?

Mr. Tyrrell:

Basically, Your Honor, this case was originally filed in Princes Georges County, with reference to the Hogan vs. James, and affidavits of removal were filed and the case was transformed to Calvert County. Mr. Hogan then removed the case to Howard County. Prior to the affidavits of removal being filed from Prince Georges County to Calvert County, I, as the representative of the defendant James, filed a motion to demur to Mr. Hogan's Amended Declaration and then I filed a set of interrogatories which Mr. Hogan has not answered, and then Mr. Hogan filed a Motion to Consolidate the James case with the Eastridge case. And we are here today, Your Honor, in opposition to the Motion for Consolidation. We are here to argue the demurrer to Mr. Hogan's Amended Declaration and, also, have a Motion to Dismiss for failure to answer the interrogatories which were served on Mr. Hogan.

COURT:
Well, in which case is the demurrer?

Mr. Tyrrell:
The demurrer is in the James case. All of these motions pertain to the James case, Your Honor, which is your case No. A-3987.

COURT:
And the motion to dismiss is in both cases, or (3) what?

Mr. Tyrrell:
No, just in the one case, the - all, all of these motions do pertain to the one case.

COURT:
To the James case.

Mr. Tyrrell:
To the James case, Your Honor.

COURT:
All right, sir, I'll be glad to hear you on the demurrer and the motion.

Mr. Tyrrell:
All right. Your Honor, basically, the, the original declaration was demurrable as the Clerk of the Court for Prince Georges County gave Mr. Hogan fifteen days to file his Amended Declaration. We are now demurring to the Amended Declaration, and my motion, or rather my demurrer, indicates that the Declaration fails to comply with the Maryland Rules of Procedure in the fact that it does contain, argument; inference; matter of evidence; matter in which the Court may take notice ex officio; and

unnecessary recitals of documents: impertinent and scandalous and irrelevant material. The pleading does not set forthe cause of action. And, frankly, Your Honor, the form in which Mr. Hogan is pursuing this is done, is obviously to harass my client and to humiliate him and to cause undue hardship to his family and to Mr. James.

Now, the points and authorities on, as I recite in this motion are the Maryland Rules 301(b) and (i). Maryland Rule 301(i) - unnecessary or improper matter in the pleadings are scandalous, irrelevant and upon motion may be, the amended pleading may be dismissed. Now, 301(b) indicates that the pleadings should recite the necessary facts of the case. And if you'll look at the amended pleading we find, that, in my opinion, Mr. Hogan does not set forth the cause of action. His original pleading, (4) declaration indicated a suit that we have been able to determine are based on libel and slander, and we were unable to determine when this libel and slander was to have have taken place.

I - He then amended the suit and in his answer to my demurrer he indicated that the cause of action now would be for arrest without probable cause, slander, and malicious prosecution, intimidation, discredit, harassment, humiliation and efforts to eject the plaintiff from his home and threats to murder the plaintiff.

In his answer to my motion to dismiss, Your Honor, I call the Court's attention to the paragraph of the last portion of the first page.

COURT:
Of the declaration?

Mr. Tyrrell:
No, of the plaintiff's answer to the defendants's motion to dismiss. And I think that the Court itself would be interested in reading that. That would probably be the last paper that's filed in the case, Your Honor. The defendant - Pardon me. The plaintiff, on page two of his answer to my motion to dismiss indicates that: "It is a small matter to dismiss this case since there has developed during the two years, that this case has been pending, justifiable reasons for, and that the Plaintiff is slowly preparing FOUR OTHER suits." Here he indicates "that it is a small matter for this case to be dismissed" that he, apparently, he feels that the case is without relative merit.

COURT:
I don't know how these papers are in this case, but I'm having difficulty finding what you're referring to.

Mr. Tyrrell:
May I approach the Court to assist you, with Mr. Hogan?

(5) COURT:
Yes, indeed.

Mr. Tyrrell:
Mr. Hogan, would you please approach the Bench.

COUNSEL APPROACH THE BENCH AND THE PROCEEDINGS THAT TOOK PLACE AT THE BENCH WERE

RECORDED AS FOLLOWS:

COURT:
Is that supposed to be filed in that case?

Mr. Tyrrell:
Yes, Your Honor. This is the --

COURT:
Is this what you're referring to?

Mr. Tyrrell:
This is what I was referring to.....

COURT:
I see.

Mr. Tyrrell:
.....insofar as his answer on the motion to dismiss.

COURT:
All right. I just wanted to be sure, I just wahted to be sure I had the correct paper. This is what you were referring to.

Mr. Tyrrell:
Yes, sir, that's correct.

Mr. Hogan:
This will answer all demurrers in this sense. I sent him --

COURT:
Well, I haven't had a chance to look at it. Let's hear the argument and I'll read this --

Mr. Hogan:
Do you want me to read it?

COURT:
You'll have a chance to --

COUNSEL RETURN TO THE TRIAL TABLES.

COURT:
I think one answer I'm seeking is, were the interrogatories answered?

(6) Mr. Tyrrell:
Your Honor --

COURT:
Your contention is they were not.

Mr. Tyrrell:
No, Your Honor, what Mr. Hogan did was file another suit in Prince Georges County. He increased the amount of that particular lawsuit by five-fold from this lawsuit for damages. That was demurred to, that second suit was demurred to and Judge The Circuit Court of Prince Georges County upheld that demurrer.....

COURT:
Without leave.

Mr. Tyrell:
.....without leave to amend. Now, Mr. Hogan - we've been fairly patient with Mr. Hogan. We realize that Mr. Hogan is appearing in proper person and that he doesn't have the benefit of a legal education although he is getting one, Your Honor. However, certainly, we; we are within our rights to request this Court to look at the answers that, or rather, the interrogatories that we have served on Mr. Hogan and they have not been answered. Certainly they violate Rule 417, he has,

hasn't answered within the prescribed time period. We've been fairly patient with Mr. Hogan. Quite some time has gone by since these interrogatories were served on Mr. Hogan and, frankly, on the, on my interrogatories there is a specific warning which I placed on those interrogatories warning him to answer within fifteen days. And that warning was typed in bold type and underlined. I realize that I was dealing with a person who was not familiar with the rule of the Court and I wished to be fair about the entire matter. But I can't determine what the case is about, Your Honor. He rambles from one point to the other and refuses to name the dates that these alleged occurrences occurred; (?) he refuses to give me any information upon which I can base any defense upon. His amended - his first declaration was demurrable too, the Judge of the Circuit Court for Prince Georges County gave him fifteen days to amend then, but I can't figure out what he wants on his second declaration either; what his cause of action is.

COURT:

Well, the docket entires indicate May 29th, 1968 - "Answer to defendant's interrogatories."

Mr. Tyrrell: That was the second suit.

COURT:

I don't quite understand.

Mr. Tyrrell:

Well, what he did, he ans- - he answered the interrogatories by filing the second suit apparently.

COURT:
Well, are there two suits in this No. A-3445 or one?

Mr. Tyrrell:
Just one, Your Honor.

COURT:
Well then, how, how does the docket entry indicate that there is an answer to the interrogatories?

MR. Tyrrell:
Well, what he did --

COURT:
It doesn't say there's another suit, it says "Answer to interrogatories."

Mr. Tyrrell:
Well, what he did was file this second suit in answer to the interrogatories.....

COURT:
Well --

Mr. Tyrrell:
.....the second suit, the second suit was then demurrable and was dismissed by Judge Bowie, I believe, with prejudice. I have a copy of the, of the second suit which was (8) filed in this case. That was - Yeah, here's the second suit here. And that was Law No. 36,958 in the Circuit Court for Prince Georges County, Maryland, and 1911 in Calvert County, Your Honor.

COURT:
Well, are the wrong docket entries in this case that I have.

Mr. Tyrrell:

Apparently not, Your Honor. No. This -- Mr. Hogan has filed one suit right after another and it's rather in- - confusing, Your Honor, insofar as dockets are concerned and it's --

COURT:

It surely is.

Mr. Tyrrell:

Would you care to see the, the so-called answers to the interrogatories, Your Honor?

COURT:

Well, if they're not in the official court file I don't think there would be any point in me looking at anything beside the file. Now, there's the docket entries of Law No. 1911 --

Mr. Tyrrell:

That's the Circuit Court for Calvert County.

COURT:

Yes, and then there are also docket entries in case, in 33-354. Now, why would docket entries of two cases be in this file?

Mr. Tyrrell:

Well, Your Honor, when the case was transferred from the Prince Georges County Court to the Calvert County Court, the Calvert County Court gave a new number which was --

COURT:

So, 33,354 then became 1971.

Mr. Tyrrell:
That, that's correct.

COURT:
Well, that's --

(9) Mr. Tyrrell:
And now we're up here in, we're with 3987 in Howard.

COURT:
Well, I'll get back to my earlier question then. The docket entries indicate that in 1911 on May 29th, 1968, "Answer to defendant's interrogatories" was filed. Now, I'm looking for the answers.

Mr. Tyrrell:
There's none in there.

COURT:
Well, shouldn't they be in here if the docket says they were filed.

Mr. Tyrrell:
It should be, Your Honor, but that happened to be the new lawsuit that was filed in 36,958.

COURT:
Well, that still doesn't explain the docket entry. It doesn't say, answered by filing another suit. It says, "Answer to defendant's interrogatories by plaintiff filed."

Mr. Tyrrell:
Could I approach the bench, again, Your Honor, I think perhaps I could aid you in finding them.

in a different case.

(11) COURT:

You mean in 36,958.

Mr. Tyrrell:

Yes, that was dismissed. The demurrer was upheld without any defense.

COURT:

Oh, all right, I'm clear now.

Mr. Hogan:

This here is on the demurrer.

COURT:

Yes, I understand that. All right, let's hear the second motion.

COUNSEL RETURN TO THE TRIAL TABLES.

Mr. Tyrrell:

Now, if we take the second suit, if I might - that was filed in the County, Prince Georges County, being 35- - or 36,958, as Answer to the Interrogatories then we still have run across the Maryland Rule 417(b), too. "Each interrogatory shall be answered separately and fully in writing under oath or the grounds for refusal to answer the interrogatories shall be fully stated under oath." Now, if we take into consideration that this second suit was, in fact, under oath - ah - the answers to the interrogatories, they still don't comply --

COURT:

I've never heard of that procedure before.....

Mr. Tyrrell:
Under oath --

COURT:
.....answering the interrogatories by filing another suit. I've never heard of that procedure.

Mr. Tyrrell:
I haven't either. Of course, we're without counsel for the plaintiff to advise him of the correct procedures, I realize that. But still he should avail himself of the ~~law~~ library of The Prince Georges County Bar Association in Upper (12) Marlboro to seek these questions out, or inquire from another attorney. Now, we haven't, we feel as though that the answers to the interrogatories have not been answered, have not been filed. And the second suit which he claims or contends was in answer to the interrogatories was dismissed; the demurrer was upheld without leave to amend and we feel as though this has prejudiced Mr. James' case and we cannot go forward with this case. We don't even know what Mr. Hogan is suing about, frankly. He's -- His cause of action is, is not spelt out in either his first declaration or his amended declaration and he - his answer to the motion to dismiss, frankly, speaks for itself. And, in view of the fact that he hasn't followed the Maryland Rules of Procedure we request that the case be dismissed for his failure to answer the interrogatories and in proper form. He has not asked for an extension of time, and he certainly has had sufficient amount of time to answer these interrogatories. We've been very patient with Mr. Hogan.

COURT:
All right, Mr. Hogan.

Mr. Hogan:
Your Honor, I am not on trial. This gentleman --

COURT:
Don't let's argue now.

Mr. Hogan:
Sir?

COURT:
Don't let's get in any argument with anybody.

Mr. Hogan:
I'm not on trial.

COURT:
I understand that.

Mr. Hogan:
These interrogatories were addressed to me as if I might be on trial. I'm not on trial.

COURT:
Well, the question is, did you answer them?

(13) Mr. Hogan:
I answered with this suit which is dismissed. And my further statement on that is, - in the interrogatories sixty questions were asked. Fifty-two of these questions may be answered by the shield of the Fifth Amendment. Have I ever been in an insane institution?

COURT:
I don't know --

Mr. Hogan:
"How many times have you ever been arrested?" Here they are. They're insulting insinuations that - which I'm claiming damage for and it repeats them in these interrogatories. Sixty-two questions! Sixty questions. "Are you insane?" "Have you been arrested?" "Have you been charged with libel?" "Have you been charged with larceny?" "Are you under arrest now?" "Is the police looking for you?" I'm not under - I'm not on trial. Here is the man who is on trial. And I'll read you this whole - Did you read this?

COURT:
Yes, I have skimmed through it to get the substance.

Mr. Hogan:
Well, let's go over it carefully. "Plaintiff did answer interrogatories - Defendant's Interrogatories in Case #1911 when pending in the Circuit Court for Calvert County, Maryland; Said interrogatories being irrevelant to the case as directed to the Plaintiff, and represented Interrogatories fitting to be directed to the Defendant." He's acting like I'm on trial. I'm a criminal. I'm a beast. I'm out of St. Elizabeth's. That's why I stood right up and put thirty thousand dollars damages and I had two hundred million more to put against him. I demanded, I have a right to be heard, that would be here right in this, in this last paragraph. The only reason, all these papers they're bringing up is to avoid

justice, obstruct justice. I'm demanding to (14) be heard in a just complaint that I have. I didn't authorize these people to use my name in any case. I'm offering to charge the Washington Post and The Evening Star a million dollars for a royalty on this story. I'm asking them a million dollars just for the story of persecution. My name has been dragged up and down the streets. Did you read that my - rocks have been thrown at my home. My windows have been shot out and as I drive through the streets the youngsters and the families holler "Queer", "Homo", I've been practically drugged from my car and assaulted and battered as the results of this slander and defamation of my character. I've spent a hundred and thirty days in St. Elizabeth's on a claim that "he's incapable."

Mr. James:
Objection, Your Honor.

COURT:
That's all right. Let's hear him. Go ahead, Mr. Hogan.

Mr. Hogan:
And I've spent a hundred and eighty-three days in Lorton on a bribe for this man to a woman....

Mr. Tyrrell:
Objection, Your Honor.

COURT:
Yes.

Mr. James:
I object to this, Your Honor, he's

accusing me of a criminal act and I want this made a matter of record and referred over to the State's Attorney's office for Howard County.

Mr. Hogan:
It's not -- Let's call the State's Attorney.

Mr. James:
I want the State's Attorney's office of Howard County.....

COURT:
Sit down, Mr. James.

Mr. James:
.....to investigate this man for accusing me of a criminal offense in the Court of Law.

COURT:
Sit down, Mr. James. Sit down. Mr. Tyrrell, get Mr. James to sit down. Just quiet down a little.

Mr. Hogan:
That all comes out in the future. That's not in this case.

COURT:
Mr. Hogan --

Mr. Hogan:
Yes, sir.

COURT:
The only question I want answered is were the interrogatories, whether you agree with them or disagree with them or not, whether they've been answered and

filed under this case.

Mr. Hogan:

I'm telling you now the answer that fifty of them were answered by taking the shield of the Fifth Amendment to the Constitution.

COURT:

Well, un- - unfortunately, Mr. Hogan, that doesn't constitute a proper answer.

Mr. Hogan:

There's no justification in those interrogatories.

COURT:

Mr. Hogan, I have to tell you, I'm applying the law as I know it and understand it. That is not a proper answer to interrogatories. Now, there are Rules of Court, Rules of Procedures which very clearly state what we must do if interrogatories are filed, and if you don't like the questions or think they are improper you have a perfect right to except to them and let the Court rule as to whether you should answer them or not. That's the proper procedure which has not been followed. Now, I'm --

Mr. Hogan:

I'm withdrawing them.

(16) COURT:

Now, I'm not saying anything you've said is incorrect or wrong.

Mr. Hogan:

"Defendant's every action filed in this litigation during the past two years

of process were, was for the sole purpose of hindering justice under the law, and trying to obstruct JUSTICE by requesting dismissal in the case.

"WHEREFORE, the Plaintiff, Earl B. Hogan demands his right to be heard according to LAW."

COURT:

Well, I'm hearing you, but apparently you're not hearing me. I say - You have not complied with the Rules of Procedure.

Mr. Hogan:

There's no justification in the interrogatories.

COURT:

That is for, eventually, a Court to determine on whether you should or should not be required to answer or not.

Mr. Hogan:

Well, shall I appeal it to a higher court?

COURT:

All right. I'm granting the motion to dismiss the James' case.

Mr. Hogan:

I will appeal.

Mr. Tyrrell:

Thank you, Your Honor.

COURT:

You may appeal. You have the right to appeal.

Mr. Hogan:
All right, I note an appeal. Thank you.

COURT:
What is the situation on the other ca Mr. Tyrrell?

Mr. Tyrrell:
The Eastridge case?

COURT:
Yes.

Mr. Tyrrell:
Ah - I don't know, Your Honor, I'm not involved (17) in any changes, if any, that - Mr. James is the attorney --

Mr. Hogan:
Then it should be set for trial at the present time, it's along with this case.

Mr. Tyrrell:
Mr. James, His Honor wishes to know what, to discuss --

Mr. James:
I'm sorry, Your Honor.

COURT:
Yes, what is the status of the Eastridge case, is that --

Mr. James:
We're ready for trial, Your Honor, if you, if the Clerk would like to set it down for a hearing.

COURT:
Very well.

Mr. James:
So, if it would - In fact, if you'd like me to I'll stop down at the Clerk's office and see if we can set that in for trial.

COURT:
All right. We'll set that in as earl as we can.

Mr. James:
Thank you, Your Honor.

Mr. Hogan:
Will I be notified later?

COURT:
Yes.

...o0o...

INFORMATION TO THE COURT? SUPPLEMENTARY TO: PLAINTIFF'S ANSWER TO DEFENDANT'S MOTION TO DISMISS - OPPOSITION

(Number and title omitted)

Comes now the Plaintiff, Earl V. Hogan and submits supplementary information to support said Answer To Defendants Motion To Dismiss.

Defendants receive copies of such one as stated in the Certificates Of Service.

RESPECTFULLY,

s/ Earl V. Hogan
Earl V. Hogan, Plaintiff

...o0o...

PLAINTIFF'S ANSWER TO DEFENDANT'S MOTION TO DISMISS - OPPOSITION

(Number and title omitted)

Plaintiff did answer Defendant's INTERROGATORIES in Case #1911 when pending in the Circuit Court For Calvert County, Maryland; Said INTERROGATORIES being irrevalent to the case, as directed to the Plaintiff, and represented INTERROGATORIES fitting to be directed to the Defendant. INTERROGATIVES, as such, addressed to the Plaintiff, were VICIOUS, MALICIOUS INSINUATIONS, motivated by malace, continuing a long eight year siege of SLANDER and CHARACTER ASSINATION of Plaintiff's Character, which is of no JUST concern of Defendants. Case #36,958 IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND was filed by the Plaintiff as the answer in full to Defendant's INTERROGATORIES in Case #1911 IN THE CIRCUIT COURT FOR CALVERT COUNTY, MARYLAND, making a claim for an additional THIRTY MILLION DOLLARS (±30,000,000) DAMAGES by Plaintiff against Defendants, which is just and fair because of the eight year siege by the Defendants to PERSECUTE, ABUSE, INTIMIDATE, HUMILIATE, and by all means defame the character of the Plaintiff. Case #36,958 was unjustly dismissed by Judge Wm. B. Bowie on February 11th., 1969, WHICH ACT SHOWED PREJUDICE against Plaintiff, Hogan.

In the INTERROGATORIES sixty questions are asked. Fifty-two of these questions can be answered by the shield of the FIFTH Amendment to The Constitution of The United States. The first question asks for my name and address, which is given in the

caption of the case. Questions #22 and #23 ask for the names of witnesses to be used in the prosecution. If the Plaintiff should give the names of such witnesses, Defendants would approach said witnesses with offers of a bribe, as Defendants have instigated in another case in which Plaintiff is involved, which crime has been reported for prosecution by Arthur Marshall, States Attorney.

If the Plaintiff has raped every person contacted during his life, it would not provide justification for Defendant's slander of Plaintiff far and wide to such characters as Thomas R. Brooks, Edwin J. Hutchinson, Wm. H. McCullough and down to the vandals in the street, which have been incited to throw rocks and shoot guns to break the windows of Plaintiff's home, and to yell insults of QUEER and HOMO as Plaintiff drove through the streets, and have committed assault and battery upon the body of the Plaintiff. Such acts have made murder justifiable, but Plaintiff remained calm, which caused increased intensity of harassment, for which the average person would have committed murder in the first degree.

It is a small matter to dismiss this case, since there has developed during the two years that this case has been pending, justifiable reasons for, and the Plaintiff is slowly preparing FOUR OTHER cases against Defendants for damages for $50,000,000 each suit, just to bring the matter up to date, giving no consideration to appearent brewing other reasons.

Defendants' every action filed in this litigation during the past two years of

process were for the sole purpose of hindering justice under the law, and trying to obstruct JUSTICE by requesting dismissal of the case.

WHEREFORE, Plaintiff, Earl V. Hogan, demands his right to be heard according to LAW

RESPECTFULLY SUBMITTED,

/s/ Earl V. Hogan
Earl V. Hogan, Plaintiff;
1902 Lebanon St.,
Adelphi, Md. 20783.
Phone 927 6999.

...ooo...

IN THE CIRCUIT COURT FOR

PRINCE GEORGE'S COUNTY, MARYLAND

EARL V. HOGAN,
Plaintiff,

vs. Law No. 36,958

LLOYD E. JAMES, SR.
and LYNETTE JAMES,
Defendant.

MEMORANDUM OF THE COURT

February 11, 1969

Demurrer sustained without leave to amend for failure to state a cause of action.

/s/ Wm. B. Bowie
Judge

Copies sent to:

Mr. Earl V. Hogan
1902 Lebanon Street
Adelphi, Maryland

Joseph R. Tyrrell, Jr., Esq.
4310 Hamilton Street
Hyattsville, Maryland 20781

SEPTEMBER 23rd., 1969: Judge Bowie handled the pigs well, BUT fumbled the THUGS.

s/ Earl V. Hogan

...000...

IN THE CIRCUIT COURT FOR

HOWARD COUNTY, MARYLAND

EARL V. HOGAN
Plaintiff,

vs. 7-1987

LLOYD E. JAMES, SR.
and
LYNETTE JAMES
Defendants.

MOTION TO DISMISS

Comes now the Defendant, Lloyd E. James, Sr., by his attorney, Joseph R. Tyrrell, Jr., and moves that this Honorable Court dismiss the action of the Plaintiff, Earl V. Hogan, for that:

1. The Counsel for the Defendant did serve upon the Plaintiff a Set of

Interrogatories on May 9, 1968.

2. That the said Plaintiff failed to answer the said Interrogatories.

WHEREFORE, your Defendant prays:

1. That this Court dismiss the Plaintiff's Declaration as to the Defendant, Lloyd E. James, Sr., for failure to Answer the Interrogatories within the time period prescribed by law.

/s/
Joseph R. Tyrrell, Jr.
Attorney for the Defendants
4310 Hamilton Street
Hyattsville, Maryland 20781
864-4600

POINTS AND AUTHORITY

Maryland Rules of Procedure Rule 417 B-1; Rule 417 d.

...ooo...

IN THE CIRCUIT COURT FOR

CALVERT COUNTY, MARYLAND

EARL V. HOGAN)
PLAINTIFF)
)
VS.)
) L A W NO. 1911
Lloyd E. JAMES, S:.,)
)
AND)
)
LYNETTE JAMES)
)
DEFENDANTS)

ORDER FOR REMOVAL

Suggestion and Affidavit of Removal having been filed in the above styled case as is authorized by law, it this _____ day of October, 1968 by the Circuit Court For Calvert County, Maryland.

ORDERED, that the record of the proceedings, consisting of all the original papers filed in the action and a copy of the docket entries, be transmitted within five (5) days from the date of this Order, to the Circuit Court for Howard, County, Maryland, for trial; and it is further

ORDERED, that the Clerk shall comply with Maryland Rule 542 c 2 (Clerk Notify Parties) by preparing the record for removal and by mailing a copy of this Order on the day it is filed to counsel of record; and it is further

ORDERED, that the failure of counsel to inspect the record prior to the last mentioned date shall be construed as a waiver of any right to inspect.

JUDGE

...o0o...

PLAINTIFF' MOTION TO CONSOLIDATE LAW No. 1911 IN THE CIRCUIT FOR CALVERT COUNTY, MARYLAND WITH LAW NO. A 3445 IN THE CIRCUIT COURT FOR HOWARD COUNTY, MARYLAND

(Number and title omitted)

1. Both Law cases involve DAMAGE CLAIMS for the same ARREST.

PLAINTIFF'S REQUEST FOR REMOVAL OF LAW NO. 1911 TO THE CIRCUIT COURT FOR HOWARD COUNTY, MARYLAND.

s/ Earl V. Hogan
Earl V. Hogan,
Plaintiff

...o0o...

SUGGESTION FOR REMOVAL

(Number and title omitted)

Earl V. Hogan, Plaintiff, requests of the Court that the above captioned case be REMOVED TO THE CIRCUIT COURT FOR HOWARD COUNTY, MARYLAND and there CONSOLIDATED with L A W N O. A 3 4 4 5 Case captioned EARL

V. HOGAN, Plaintiff vs. MRS HOMER EASTRIDGE BECAUSE Both cases involve claims for damages for an arrest without probable cause for the same arrest case.

s/ Earl V. Hogan
Earl V. Hogan, Plaintiff

STATE OF MARYLAND)
) SS:
COUNTY OF PRINCE GEORGE'S)

I certify that on this 16th day of October, 1968 before me, a Notary Public of said State and County, personally appeared Earl V. Hogan, Plaintiff, and made oath, in due form of law, that the matters and facts contained in the foregoing Request for Removal are true.

s/ Donna M. McNeill N.P.A.
Notary Public
(SEAL) My Commission expires 7/1/1969

...oOo...

ORDER FOR REMOVAL

(Number and title omitted)

Suggestion and Affidavit of Removal having been filed in the above styled case as is authorized by law, it this 21st day of October, 1968 by the Circuit Court For Calvert County, Maryland.

ORDERED, that the record of the proceedings, consisting of all the original papers filed in the action and a copy of the docket entries, be transmitted within five (5) days from the date of this Order, to the Circuit Court for Howard, County,

Maryland, for trial; and it is further

ORDERED, that the Clerk shall comply with Maryland Rule 542 c 2 (Clerk Notify Parties) by preparing the record for removal and by mailing a copy of this Order on the day it is filed to counsel of record; and it is further

ORDERED, that the failure of counsel to inspect the record prior to the last mentioned date shall be construed as a waiver of any right to inspect.

s/ Perry G. Bowen, Jr:
JUDGE

True Copy Test:

s/ J Lloyd Bowen, Clerk.

...oOo...

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

EARL V. HOGAN *
Plaintiff, *
vs. *
LLOYD E. JAMES, SR. * Law No. 36,958
and *
LYNETTE JAMES *
Defendants. *

DEMURRER OF LLOYD E. JAMES, SR. AND LYNETTE JAMES, DEFENDANTS, TO COMPLAINT - DECLARATION - DAMAGES

Lloyd E. James, Sr. and Lynette James,

Defendants, by Joseph R. Tyrrell, Jr., their attorney, pursuant to Maryland Rule 345, demurs to the Complaint - Declaration - Damages and to each and every allegation thereof because:

1. The pleading filed herein is much too lengthy, vague, confusing and contains statements of fact that are not necessary to constitute a cause of action. It includes: (a) argument: (b) inference; (c) matter of evidence; (d) matter of which the court may take notice ex officio; (e) unnecessary recitals of documents; and (f) impertinent, scandalous and irrelevant matter.

2. The pleading does not set forth a cause of action.

3. The Plaintiff is making an abusive, improper, perverted use of judicial process of this Honorable Court by instituting this action with the sole ulterior motive to discredit, harass, humiliate and defame the Defendants herein.

WHEREFORE, Defendants pray that their demurrer be sustained, and that the Complaint - Declaration - Damages herein be dismissed without leave to amend.

s/ Joseph R. Tyrrell, Jr.
Joseph R. Tyrrell, Jr.
Attorney for Defendants

...ooo...

POINTS AND AUTHORITIES IN SUPPORT
DEMURRER

(Number and title omitted)

1. Maryland Rule 301(b)

s/ Joseph R. Tyrrell, Jr.
Joseph R. Tyrrell, Jr.
Attorney for Defendants
4310 Hamilton Street
Hyattsville, Maryland
864-4600

...ooo...

COMPLAINT - DECLARATION - DAMAGES

(Number and title omitted)

Comes now the Plaintiff, Earl V. Hogan and sues the Defendants, Lloyd E. James, Sr. AND Lynette James for Vicious, malicious INSINUATIONS, motivated by malice, continueing a long continuous siege of slander and character assination of Plaintiff's character, which is of no JUST concern of Defendants, for that to wit:

On the 9th. day of May, 1968 Defendants did issue, and did MAIL THROUGH THE UNITED STATES MAILS INTERROGATORIES in connection LAW CASE NO. 1911 in The Circuit Court For Calvert County, Maryland said INSINUATIONS

THIS SUIT IS IN FULL ANSWER TO SAID INTERROGATORIES.

Plaintiff, Earl V. Hogan prays of this Court that Said Honorable Court will resolve

the question of the INTRINSTIC VALUE OF HUMAN CHARACTER.

WHEREFORE, by reason of the premises, the Plaintiff, Earl V. Hogan has suffered body and mental distress and pangs of possible terriffic financial loss and damages in the sum of FIVE MILLION DOLLARS ($5,000,000.00)

That in doing the things herein alleged, the Defendants acted malicious, and were guilty of a wanton disregard of the rights and feelings of the Plaintiff, and by reason thereof the Plaintiff demands exemplary and punitive damages against the said Defendants in the sum of TWENTY-FIVE MILLION DOLLARS ($25,000,000.00)

WHEREOF, the Plaintiff, Earl V. Hogan brings this suit against the Defendants, Lloyd E. James, Sr. and Lynette James, and claims compensatory damages in the amount of FIVE MILLION DOLLARS ($5,000,000.00) and punitive damages in the amount of TWENTY-FIVE MILLION DOLLARS (25,000,000.00) and costs of this suit against the Defendants aforesaid.

s/ Earl V. Hogan

...ooo...

IN THE CIRCUIT COURT FOR

CALVERT COUNTY, MARYLAND

EARL V. HOGAN	)	
	)	
Plaintiff	)	
	)	
vs.	)	
	)	
Lloyd E. JAMES, SR.	)	LAW No. 1911
	)	
AND	)	
	)	
LYNETTE JAMES	)	
	)	
Defendant	)	

ANSWER TO DEFENDANT'S INTERROGATORIES BY PLAINTIFF

Answer to Defendants' INTERROGATORIES is contained in full Case LAW No. 36,958, IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND : COPY ATTACHED.

s/ Earl V. Hogan
Plaintiff

...ooo...

IN THE CIRCUIT COURT OF

PRINCE GEORGE'S COUNTY, MARYLAND

EARL V. HOGAN)

Plaintiff)

vs.) LAW NO. 41,286

L. H. STUMPER)

Defendant)

PLAINTIFF OPPOSITION TO MOTION BY DEFENDANT TO DISMISS

Plaintiff, Earl V. Hogan, was under DURESS on May 20th., 1968 to July 7th., 1969, imprisoned in St. Elizabeth Hospital AND Lorton Reformatory prison for a total of 313 days, caused by two indictments promoted by Lloyd E. James, Sr. et al in cases #1190-67 and #2055 [illegible] in The United States District Court For The District Of Columbia, which cases were dismissed without guilt. Plaintiff demands REDRESS by the Honorable Court in granting a hearing of this COMPLAINT.

Respt.,

s/ Earl V. Hogan
Earl V. Hogan, Plaintiff
434 0 0210
1902 Lebanon St.,
Adelphi, Md. 20783

...ooo...

OPPOSITION TO FOLLY OF SPECIAL PLEA OF L. H. STUMPER, DEFENDANT

(Number and title omitted)

Plaintiff's Complaint does not mention Slander, BUT insinuating slander and character assination and intimidation, and assault and battery upon the body of Plaintiff, and threatening Plaintiff's life, causing harsh damage to body and mind, which are not mentioned in Article 57, Section 1, of the Annotated Code of Maryland, 1957 Edition.

Defendants ACTS were that of MOB VIOLENCE, equal to the NEGRO MOB VIOLENCE OF APRIL, 196(?).

Respt.,

s/ Earl V. Hogan
Earl V. Hogan, Plaintiff
484 -6210.
1902 Lebanon Street,
Adelphi, Md. 20783

...o0o...

PLAINTIFF'S DEMAND THAT LLOYD E. JAMES, Sr. BE DISQUALIFIED AS ATTORNEY FOR DEFENSE IN THIS CASE LAW NO. 41,286.

(Number and title omitted)

1. Lloyd E. James, Sr. by his slander and character assination of Plaintiff did incite Defendant to do the acts including mob violence.

2. Lloyd E. James, Sr., et al have

used every conceivable means of damaging Plaintiff, except shooting him down in cold blood murder; Evidence of such in substantiation is included in instruments is filed with CASE LAW NO. 41,787.

Respt.,

s/; Earl V. Hogan
Plaintiff, Earl V. Hogan,
1902 Lebanon St.,
Adelphi, Md. 20783
434 - 0210

...oOo...

COMPLAINT - DECLARATION - DAMAGES

(Number and title omitted)

Comes now the Plaintiff, Earl V. Hogan and sues Defendant, L. H Stumper for vicious, malicious, motivated by malice, assault and battery upon the body of Plaintiff, incited by the slander and character assination by Lloyd E. James, Lynette James, etal, withot probable cause, committed on May 16th. 1968 in the street at the intersection of Merrimac Dr. and 19th. Place in Adelphi, Md. in front of 1906 Merrimac Dr., and did intimidate and threaten Plaintiff's life, if Plaintiff should ever again pass in front of 1906 Merrimac Dr. on the public street thereof. Also insinuating slander and character assination by above mentioned incitement. Thereupon Plaintiff's body was injured, and he suffered mental anguish and a nervious strain and upset, causing harsh damage to his body and mind.

WHEREFORE, by reason of the premises, the Plaintiff, Earl V. Hogan suffered damage by insult, intimidation and body injury in the sum of Five Thousand Dollars ($5,000.00).

That in doing the things herein alleged the Defendant acted malicious, and guilty of a wanton disregard of the rights and feelings of the Plaintiff and by reason thereof the Plaintiff demands exemplary and punative damages against the said Defendant in the sum of TWENTY THOUSAND DOLLARS ($20,000.00)

WHEREFORE, the Plaintiff, Earl V. Hogan brings this suit against the Defendant, L. H. Stumper, and claims compensatory damages in the sum of FIVE THOUSAND DOLLARS ($5,000.00) and punitive damages in the amount of TWENTU THOUSAND DOLLARS ($20,000) and costs of this suit against the defendant aforesaid.

Respectfully,

s/ Earl V. Hogan
Earl V. Hogan, Plaintiff
434-0210

...ooo...

IN THE CIRCUIT COURT FOR

CALVERT COUNTY, MARYLAND

EARL V. HOGAN Plaintiff	)	
vs.	)	
LLOYD E. JAMES, SR.	)	LAW NO 1911
And	)	
LYNETT JAMES Defendants	)	

PLAINTIFF'S REASON FOR ANSWERING DEFENDANT'S INTERROGATORIES WITH LAW NO. 36,958 $30,000,000 DAMAGE SUIT 5-16-1968

Comes now the Plaintiff, Earl V. Hogan on December the 12th., 1969 in explaination to The Supreme Court Of The United States the reasons for the answering Defendant's INTERROGATORIES with the filing of Law No. 36958 --:

1. Lloyd E. James, Sr. et al as leaders of the vicious, malicious, violent mob gang had promoted the arrest of Plaintiff, Earl V. Hogan as documented in Criminals Appeals No. 10,713, COPY HEREWITH.

2. Lloyd E. James, Sr. et al as leaders of the vicious, malicious violent mob gang had incited the assault and battery case documented in Law No. 41,286, L. H. Stumper, COPY HEREWITH.

3. Plans, efforts and intentions to conceive ways and means to damage and do away with Plaintiff have not been abated by said gang.

4. Information of such conceptions and promotions by the said gang are shown herewith in documentations CRIMINAL NOS. 1190 - 67 AND 2055 - 68, COPIES HEREWITH.

Respt.,

s/ Earl V. Hogan
Plaintiff

...oOo...

INTERROGATORIES

(Number and title omitted)

Propounded pursuant to Maryland Rules
To: Earl V. Hogan, Plaintiff
By: Joseph R. Tyrrell, Jr., Attorney for Lloyd E. James, Sr., Defendant.

The plaintiff, Earl V. Hogan, is requested to answer the following interrogatories:

a. These interrogatories are continuing in character, so as to require you to file supplementary answers if you obtain further or different information before trial.

b. Unless otherwise indicated, these interrogatories refer to the time, place and circumstances of the occurrence mentioned or complained of in the pleadings.

c. Where knowledge or information or possession of a party is requested, such request includes knowledge of the party's agents, next friend, guardian, representatives and, unless privileged, his attorneys.

d. The pronoun "you" refers to the party to whom these interrogatories are addressed, and the persons mentioned in clause (c).

1. State your full name, present and last previous address, Date of Birth, Marital Status and Social Security Number.

2. In alleging that defendant acted maliciously, do you contend that the defendant was motivated by actual malice.

3. If so state:

a. Whether defendant had done or said anything, prior to the institution of the criminal charges complained of, that evidenced any malice toward you.

b. Each act performed by the defendant on which you rely in contending that defendant acted with actual malice.

c. Each statement uttered by defendant on which you rely in contending that defendant acted with actual malice and, as to each:

1. The time and date of the statement.

2. The address or location where it was made.

3. The name, or other means of identification and address of each person present.

4. Had you ever been arrested prior to November 23, 1966.

5. If so state:

a. The date of each arrest.

b. The title of the officers who made each arrest and the name of the political subdivision that employed them.

c. The crime you were accused of.

d. The final disposition of any action that was instituted.

6. Did you consult a doctor in connection with nervousness, anxiety, mental anguish, or distress that you allege as a result of your arrest.

7. With reference to your allegation that your reputation has been injured.

a. The name, or other means of identification, and address of each person who has shunned or avoided you.

b. The name, or other means of identification, and address of each employer who has refused to hire you.

c. The name, or other means of identification, and address of each person, firm, corporation or other entity that has refused to extend credit to you.

8. Had any of the persons or other entities named in your answer to the foregoing question extended credit to you prior to the time of your arrest.

9. Have you ever been indicted by a Grand Jury.

10. If so state:

a. The date, place of the Grand Jury Hearing.

b. The offense for which you were indicted.

11. Have you ever been found guilty of a misdemeanor.

12. If so state:

a. The name of the Court where such crime was tried.

b. The offense or charge to which was placed against you.

c. The sentence imposed in each case.

d. The term of any probationary orders.

13. Have you ever been found guilty of a Felony.

14. If so state:

a. The name of the Court where such crime was tried.

b. The offense or charge to which was placed against you.

c. The sentence imposed in each case.

d. The term of any probationary orders.

15. Have you ever been confined in any penal institution from those revealed in answers to the preceding interrogatories.

16. If so state:

a. Name and address of the penal institution.

b. Date of your confinement.

c. The reason for your confinement in each case.

17. Are you presently wanted by any police enforcement agency.

18. If so state:

a. The name and address of such agency.

b. The offense with which you were charged.

19. Have you ever been a party in any litigation prior to the present.

20. If so state:

a. The Court in which each such action was instituted.

ch

b. The date each such action was filed.

c. The title and number of each such action.

d. Whether you were a plaintiff or defendant.

in

e. The nature of the action.

f. The result of each case that has been concluded.

g. The date set for trial of any pending action.

21. Give the names and addresses of all persons who investigated the cause and circumstance of the occurrence complained of in your Declaration for you.

22. Name all experts whom you propose to call as witnesses on your behalf and furnish copy of any and all reports received from them.

23. Name each person, other than experts, you intend to call as a witness on any question at the trial of this case.

24. Itemize the expenses and losses incurred by you as a result of these occurences.

25. Give a concise statement of the facts showing how you contend the occurrences took place.

26. What was the last date that you had any conversation with the defendant,

Lloyd E. James, Sr.

a. Where was conversation held.

b. Who was present when conversation was held.

c. What was subject matter of this conversation.

Joseph R. Tyrrell, Jr.
Attorney for Defendant, Lloyd E. James, Sr.
4310 Hamilton Street
Hyattsville, Maryland
864-4600

W A R N I N G

These Interrogatories must be answered within fifteen (15) days.

...ooo...

LETTER TO JOSEPH R. TYRRELL, JR. FROM W. WAVERLY WEBB, DATED SEPTEMBER 11, 1967

Joseph R. Tyrell, Jr., Esquire
4310 Hamilton Street
Hyattsville, Maryland

Re: Earl V. Hogan, vs
Lloyd E. James, Jr. et vir.
Law No. 33,354

Dear Sir:

This is to advise that the record in the above-described case has this day been

transmitted to the Circuit Court for Calvert County, pursuant to an Order of Court dated August 29, 1967.

Very truly yours,

s/ W. Waverly Webb
by rcg.

W. Waverly Webb
Clerk

WWW:mnh

cc: Earl V. Hogan

...ooo...

IN THE CIRCUIT COURT FOR

PRINCE GEORGE'S COUNTY, MARYLAND

EARL V. HOGAN, :

Plaintiff, :

vs. : Law No. 33,354

LLOYD E. JAMES, SR. :
and
LYNETTE JAMES. :

Defendants. :

ORDER FOR REMOVAL

Upon the foregoing Suggestion and Affidavit of Removal, it is this 29th day of August, 1967, by the Circuit Court for Prince George's County, Maryland,

ORDERED, that the record of the proceedings, consisting of the original papers and a copy of the docket entries in this case, be transmitted on the 11th day of September, 1967, to the Circuit Court for Calvert County, Maryland, for trial; and it is further

ORDERED, that the failure to inspect the record by the last mentioned date will be construed as a waiver of the right.

(s) Perry G. Bowen, Jr.
Perry G. Bowen, Jr., Judge

Copies sent to:

Earl V. Hogan
1902 Lebanon Street
Adelphi, Maryland

Joseph R. Tyrrell, Jr., Esq.
4310 Hamilton Street
Hyattsville, Maryland

Assignment Office

...o0o...

SUGGESTION AND AFFIDAVIT OF REMOVAL

(Number and title omitted)

Lloyd E. James, Sr. and Lynette James, Defendants, suggests to the Court that they cannot have a fair and impartial trial in this Court, and prays the Court to order and direct the removal of the record of the proceedings in this case, to some other Court, having jurisdiction, for trial.

s/ Lloyd E. James, Sr.
Lloyd E. James, Sr., Defendant

Lynette James
Lynette James, Defendant

STATE OF MARYLAND *
*
* ss:
COUNTY OF PRINCE GEORGE'S *

I HEREBY CERTIFY that on this 24 day of August, 1967, before me, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD E. JAMES, SR. and LYNETTE JAMES and made oath, in due form of law, that the matters and facts contained in the foregoing suggestion for removal are true.

WITNESS my hand and seal.

s/ Gerald Kunes
NOTARY PUBLIC

(SEAL)

My Commission expires: July 1, 1969.

...oOo...

OPPOSITION BY PLAINTIFF TO DEFENDANT'S DEMURRER AND PRAYER TO DISMISS AMENDED DECLARATION

(Number and title omitted)

2. CAUSE OF ACTION : Suit for DAMAGES For Arrest without any probable cause, Slander, malicious prosecution, intimidation, discredit, harass, humiliate, defame, efforts to eject Plaintiff from

his home, and threats to murder Plaintiff.

PLAINTIFF DEMANDS A PROMPT COURT HEARING ON AMENDED DECLARATION PRIMA FACIE

s/ Earl V. Hogan
Earl V. Hogan, Plaintiff
1902 Lebanon St., Adelphi, Maryland
Phone 343 - 434 - 0210

...oOo...

OPPOSITION BY PLAINTIFF TO DEFENDANTS' DEMURRER AND PRAYER TO DISMISS AND MOTION BY PLAINTIFF FOR AMENDED DECLARATION

(Number and title omitted)

s/ Earl V. Hogan
Earl V. Hogan, Plaintiff
1902 Lebanon St.,
Adelphi, Maryland
Phone 434 - 0210

...oOo...

DEMURRER OF LLOYD E. JAMES, SR. AND LYNETTE JAMES, DEFENDANTS, TO AMENDED DECLARATION

(Number and title omitted)

Lloyd E. James, Sr. and Lynette James, Defendants, by Joseph R. Tyrrell, Jr., their attorney, pursuant to Maryland Rule 345, demurs to the Amended Declaration and to each and every allegation thereof because:

1. The pleading filed herein is much too lengthy, vague, confusing and contains statements of fact that are not necessary to constitute a cause of action. It includes: (a) argument; (b) inference; (c) matter of evidence; (d) matter of which the court may take notice ex officio; (e) un-necessary recitals of documents; and (f) impertinent, scandalous and irrelevant matter.

2. The pleading does not set forth a cause of action.

3. The Plaintiff is making an abusive, improper, perverted use of judicial process of this Honorable Court by instituting this action with the sole ulterior motive to discredit, harass, humiliate and defame the Defendants herein.

WHEREFORE, Defendants pray that their demurrer be sustained, and that the Declaration (Amended) herein be dismissed without leave to amend.

Joseph R. Tyrrell, Jr.
Attorney for Defendants.

...oOo...

POINTS AND AUTHORITIES
IN SUPPORT OF DEMURRER

(Number and title omitted).

1. Maryland Rule 301(b).

Joseph R. Tyrrell, Jr.
Attorney for Defendants
4310 Hamilton Street
Hyattsville, Maryland
779-6111

...oOo...

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY MARYLAND

EARL V. HOGAN
1902 Lebanon Street
Adelphi, Maryland

Law No. 32469

Plaintiff

(Filed: 4/14/67)

vs.

MRS. HOMER EASTRIDGE
8110 19th Place
Adelphi, Maryland

Defendant

A C T I O N
D A M A G E S

DECLARATION
(Suit for false arrest and imprisonment)

Comes now the Plaintiff, Earl V. Hogan and sues Mrs. Homer Eastridge for false arrest and imprisonment. TO WIT:

That on November 23rd, 1966 at or about 8:00 P.M. the Plaintiff was lawfully and peacefully enjoying the luxury of sanctity, happiness and quietness of his home, located at 1902 Lebanon Street, Adelphi, Prince George's County, Maryland, with his Protege, Douglas T. Shipley, Jr. While thus engaged, there was a knock of a caller at my front door. On opening the door, Prince Georges County Policeman, K. S. Gusack identified himself and demanded entrance into my home. Upon entering, the policeman

displayed and read to me a warrant of arrest signed by Harry Fiddesop, Justice of The Peace, sworn to by Defendant, Mrs. Homer Eastridge, who charged that: Earl Vincent Hogan did unlawfully make an assult on Dennis Eastridge, her 15 yr. old son, a minor child against the peace, Government and dignity of the State. I pleadingly explained to the policeman my acts of defense of my home and the three minor boys, 8 yrs., 10 yrs. and 13 yrs. in my custody, by pushing with my foot out of my front door the intruder, Dennis Eastridge, who I told to get off of my property, and when he did not move off of my property, I struck him one lick with a piece of 1/8th. diameter rubber covered wire about three feet long. When the Plaintiff reached for and displayed the innocent, harmless looking piece of rubber covered wire, the policeman did unlawfully and maliciously seize and take hold of the Plaintiff, forcing him to hold high his hands and place them high upon and facing the refrigerator, while the policeman rough handled the Plaintiff up and down all over his clothing in search for solid items. When the policeman felt a key ring with keys in the Plaintiffs pocket, he reached into the pocket and pulled out the keys and examined them. The policeman seized the Plaintiff's arm and forced the Plaintiff's hands behind the Plaintiff's back, and placed handcuffs very tight and painful on the Plaintiff's wrists, and with a very insulting tone of voice ordered the Plaintiff out of his house to the street where the patrol car was parked across

the street. When the Plaintiff plead and begged to have the Plaintiff's Protege, Douglas T. Shipley, Jr. placed in the custody of friends at 8012 Old Riggs Road, across Old Riggs Road from the Plaintiff's home, the policeman snarled and refused the plea, and the child was left weeping and crying, and had cried himself to sleep, when the Plaintiff returned in about three hours time. The Plaintiff was ordered into the back seat of the patrol car, and with handcuffs tightly binding the wrists bound behind the back caused miserable pain when getting into the car and when sitting in the seat with hands behind the back. The sight of neighbors, near, watching the brutal, insulting, dangerous criminal like handling of the Plaintiff, caused near fainting. After the miserable trip to the Hyattsville, Maryland police station, the Plaintiff was hailed before a booking clerk, and then ushered into a room of solitary confinement until a bondsman could arrive, which took about one hour, and Plaintiff was released after paying a bondsman That by reason of such public indignity indignity, exposure, arrest detention, imprisonment and search of the Plaintiff by the said Policeman, K S. Gusack, the Plaintiff was greatly injured emotionally, mentally and circumstances, and was then and there hindered and prevented from performing his necessary affairs and business

The Criminal Case #7779 against the Plaintiff was set for hearing in

Peoples Court in Hyattsville, Maryland on December 13, 1966. On November 30, 1966 Assistance States Attorney, Joseph J. Bonner entered a plea for appeal to The Prince Georges County Circuit Court, with a prayr for a Jury Trial, which right belongs to a Defendant in a criminal case. The Plaintiff had employed a lawyer to defend him in Peoples Court at a price of $150 The plea by the States Attorney's for the appeal to The Prince George s County Circuit Court scared said lawer so that he demanded a fee of $1,150 00 to defend this Plaintiff The Plaintiff dismissed said lawyer, and plead his own case on February 6, 1967 before Judge Powers in Circuit Court Case No 10713 JUDGE POWER S VERDICT: NOT GUILTY

WHEREFORE, The Plaintiff, Earl V Hogan demands judgement against the Defendant, Mrs. Homer Eastridge in the amount of $5,000.00 compensatory damages, plus costs of this action, and

WHEREFORE, the Plaintiff, Earl V. Hogan demands judgement against the Defendant, Mrs. Homer Eastridge in the amount of $20,000.00 for punitive damages, plus the costs of this action

s/ Earl V. Hogan

ooo

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

EARL V. HOGAN
1902 Lebanon Street,
Adelphi, Maryland 20783

Plaintiff

vs. Law No. 33,354

LLOYD E. JAMES, SR.,
1904 Lebanon Street,
Adelphi, Maryland 20783

Defendant

LYNETTE JAMES
1904 Lebanon Street,
Adelphi, Maryland 20783

Defendant

AMENDED DECLARATION

Comes now the Plaintiff, Earl V. Hogan and sues the Defendant, Lloyd E. James, Sr. and Defendant, Lynette James, for malicious prosecution, intimidation, vicious efforts to eject Plaintiff from his home, and threats to murder, for that: to wit:

On or about November 23rd., 1966, a warrant was issued for the arrest of the Plaintiff based on the oath and information of a Defendant, Mrs. Homer Eastridge, who was prompted, urged, aided

and abetted by Defendant, Lloyd F. James, Sr. and Defendant, Lynette James; that charged that Earl V. Hogan did unlawfully make an assault on Dennis Eastridge, 15 yr. old son of Mrs. Homer Eastridge, against the peace, Government and dignity of The State.

That thereafter the Plaintiff, Earl V. Hogan was arrested and was required to appear in the Circuit Court For Prince Georges' County, Maryland at Upper Marlboro, Maryland for trial on February 6th., 1967.

That on said date, such proceedings were held before the Honorable Ralph W. Powers, Judge, and the Plaintiff, Earl V. Hogan having pleaded not guilty, was tried, and thereupon found not guilty and duly acquitted of said charge and thereby said charge and said prosecution were finally terminated and ended in favor of the Plaintiff.

That said criminal charge, arrest and prosecution of the Plaintiff were wholly without any probable cause and the Defendants, in causing the arrest and prosecution of the Plaintiff was actuated by malice.

That aforesaid arrest case was the finale of a long vicious, malicious siege of slander, intimidation, agreva-tion, threats of murder, intended to eject the Plaintiff from his home. Said Defendants did prompt, urge, aid

and abett their two minor boys in said malicious practices.

That by reason of the premises, the Plaintiff, Earl V. Hogan has suffered great distress of body and mind; that the Plaintiff has been greatly injured and damaged in his credit, standing and reputation; that the Plaintiff has been brought into public scandal, infamy and disgrace, all to his damage in the sum of One Hundred Thousand Dollars ($100,000.00).

That in doing the things herein alleged, the Defendants acted maliciously and was guilty of a wanton disrehard of the rights and feelings of the Plaintiff and by reason thereof the Plaintiff demands exemplary and punitive damages against said Defendants in the sum of Six Hundred Thousand Dollars ($600,000.00).

WHEREFORE, the Plaintiff, Earl V. Hogan, brings this suit against the Defendants, Lloyd R. James, Sr. and Lynette James, and claims compensatory damages in the amount of One Hundred Thousand Dollars ($100,000.00), and punitive damages in the amount of Six Hundred Thousand Dollars ($600,000.00), and costs against the defendants aforesaid.

s/ Earl V. Hogan
Earl V. Hogan,
Plaintiff

POINTS AND AUTHORITIES IN SUPPORT OF DEMURRER

(Title omitted - No. 33,354)

1. Maryland Rule 301(b).

2. Article 57, Section 1.

Joseph R. Tyrrell, Jr.
Attorney for Defendants
4310 Hamilton Street
Hyattsville, Maryland
779-6111

...ooo...

MEMORANDUM OF THE COURT

(Title omitted - No. 33,354)

July 18, 1967

Mr. Tyrrell:

Comply with 7th Circuit Rule 505 a.

Page 7 CM-2-7

/s. Wm. B. Bowie
Judge

...ooo...

DEMURRER OF LLOYD E. JAMES, SR AND LYNETTE JAMES DEFENDANTS TO DECLARATION

(Title omitted - No. 33,354)

Lloyd E. James, Sr. and Lynette James, Defendants, by Joseph R. Tyrrell, Jr., their attorney, pursuant to Maryland Rule 345, demurs to the Declaration and to each and every allegation thereof because:

1. The pleading filed herein is much too lengthy, vague, confusing and contains statements of fact that are not necessary to constitute a cause of action. It includes: (a) argument; (b) inference; (c) matter of evidence; (d) matter of which the court may take notice ex officio; (e) unnecessary recitals of documents; and, (f) impertinent, scandalous and irrelevant matter.

2. The pleading contains matters barred by the statute of limitations.

3. The pleading does not set forth a cause of action.

4. The Plaintiff is making an abusive, improper, perverted use of judicial process of this Honorable Court by instituting this action with the sole ulterior motive to discredit, harass, humiliate and defame the Defendants herein.

WHEREFORE, Defendants pray that their demurrer be sustained, and that the Declaration herein be dismissed without leave to amend.

Joseph R. Tyrrell, Jr.
Attorney for Defendants
4310 Hamilton Street
Hyattsville, Maryland
779-6111

...oOo...

DECLARATION

(Title omitted - No. 33,354)

Comes now the Plaintiff, Earl V. Hogan and sues the Defendant, Lloyd E. James, Sr. and Defendant, Lynette James, for malicious prosecution and slander, and vicious efforts to eject Plaintiff from his home, for that, to wit:

On or about November 23rd., 1966, a warrant was issued for the arrest of the Plaintiff based on the oath and information of a Defendant, Mrs. Homer Eastridge, who was prompted, urged, aided and abetted by Defendant, Lloyd E. James, Sr. and Defendant, Lynette James; that charged that Earl V. Hogan did unlawfully make an assault on Dennis Eastridge, 15 yr. old son of Mrs. Homer Eastridge, against the peace, Government and dignity of, The State.

That thereafter the Plaintiff,

Earl V. Hogan was arrested and was required to appear before in the Circuit Court For Prince George's County, Maryland at Upper Marlboro, Maryland for trial on February 6th., 1967.

That on said date, such proceedings were held before the Honorable Ralph W. Powers, Judge, and the Plaintiff, Earl V. Hogan having pleaded not guilty, was tried, and thereupon found not guilty and duly acquitted of said charge and thereby said charge and said prosecution were finally terminated and ended in favor of the Plaintiff.

That said criminal charge, arrest and prosecution of the Plaintiff were wholly without any probable cause and the Defendants, in causing the arrest and prosecution of the Plaintiff was actuated by malice.

The aforesaid arrest case was the finale of a six year long siege, beginning in 1960 by Lloyd E. James, Defendant, who went into the Court records of Complaints against Plaintiff, Earl V. Hogan. Defendant, Lloyd E. James, Sr. did viciously and slanderously spread the Court records information to residents in the neighborhood area, his associates in the court house and to the landlord, owner of the home in which, Plaintiff, Earl V. Hogan lives. Defendant, Lloyd E. James, Sr. and Defendand, Lynette James and their two

minor boys did make statements that Plaintiff, Earl V. Hogan did indulge in criminally sexual indulgences and is a "Queer"; such statements were made to many and various persons, far and wide.

The aforesaid siege was intensified on October 8th., 1963 when Plaintiff, Earl V. Hogan demanded for the third time that the two minor boys of the Defendants, Lloyd E. James, Sr. and Lynette, stop sliding down a hill on Plaintiff, Earl V. Hogans' property, at which the Defendant, Lynette James rebutted with a statement, "I WILL RUN YOU OUT OF THIS NEIGHBORHOOD, JAILBURD."

Other instances of insult and slanderous attack upon Plaintiff, Earl V. Hogan are too numerous to narrate in this complaint. Witnesses in the neighborhood of a half of a square mile area will be brought in to give evidence.

That by reason of the promises, the Plaintiff, Earl V. Hogan has suffered great distress of body and mind; that the Plaintiff has been greatly injured and damaged in his credit, standing and reputation; that the Plaintiff has been brought into public scandal, infamy and disgrace, all to his damage in the sum of One Hundred Thousand Dollars ($100,000.00).

That in doing the things herein alleged, the Defendants acted maliciously and was guilty of a wanton disregard of

the rights and feelings of the Plaintiff and by reason thereof the Plaintiff demands exemplary and punitive damages against the said Defendants in the sum of Six Hundred Thousand Dollars ($600,000.00).

WHEREFORE, the Plaintiff, Earl V. Hogan, brings this suit against the Defendants, Lloyd E. James, Sr. and Lynette James, and claims compensatory damages in the amount of One Hundred Thousand Dollars ($100,000.00). and punitive damages in the amount of SIX Hundred Thousand Dollars ($600,000.00). and costs against the defendants aforesaid.

s/ Earl V. Hogan
Plaintiff 434 - 0210

...ooo...

UNITED STATES DISTRICT COURT
For the District of Columbia

UNITED STATES (Filed: July 7, 1969)

vs.

Criminal No. 1190-67

EARL V. HOGAN
Defendant

ORDER GRANTING DISMISSAL OF INDICTMENT

On this 7th day of July, 1969, came the attorney of the United States;

~~the defendant in proper person and by his attorney, Esquire~~
and upon consideration of the government's oral motion for leave to dismiss the indictment in the above entitled case, it is ordered that leave to dismiss the indictment be and the same is hereby granted.

Whereupon the United States Attorney dismisses the indictment in the above entitled case in open Court.

DISMISSAL ENTERED.

BY DIRECTION OF:
JOHN J. SIRICA
Presiding Judge

Present: Criminal Court # Assignment

United States Attorney
By: Nicholas S. Nunzio
Assistant U. S. Attorney

ROBERT M. STEARNS,
Clerk
By: s/ Hugh W. Harvey
Deputy Clerk

Nicholas Sokal
Official Reporter

...ooo...

UNITED STATES DISTRICT COURT
For the District of Columbia

UNITED STATES (Filed: July 7, 1969)

vs. Criminal No. 2055-68

EARL V. HOGAN
Defendant

ORDER GRANTING DISMISSAL OF INDICTMENT

On this 7th day of July, 1969, came

the attorney of the United States; ~~the defendant in proper person and by his attorney, ////////// Esquire,~~ and upon consideration of the government's oral motion for leave to dismiss the indictment in the above entitled case, it is ordered that leave to dismiss the indictment be and the same is hereby granted.

Whereupon the United States Attorney dismisses the indictment in the above entitled case in open Court.

DISMISSAL ENTERED

BY DIRECTION OF:

JOHN J. SIRICA
Presiding Judge

Criminal Court # Assignment

ROBERT M. STEARNS,
Clerk

Present: By: s/ Hugh W. Harvey
Deputy Clerk

United States Attorney

By: Nicholas S. Nunzio
Assistant U. S. Attorney

Nicholas Sokal
Official Reporter

...ooo...

COPY OF LETTER TO RUSSEL,
DAVID AND TEDDY SHIPLEY
FROM NEALON & NEALON

Law Offices
NEALON & NEALON
Number One Thomas Circle, Northwest
Suite 305
Washington, D. C.
Telephone DI 7-6646

James J. Nealon
Robert J. Nealon
Martin P. Bisck-Va. Counsel

April 6, 1969

Messrs. Russel, David and Teddy Shipley
Care of: Mrs. Nancy Miller
4303 55th Ave.
Bladensburg, Maryland

RE: Criminal Cases in U. S. District Court vs. Earl V. Hogan

Dear Masters Shipley,

I represent Mr. Earl V. Hogan who is presently incarcerated in Lorten Penetentiary for the above matters in which you testified against him. I have been informed by Mrs. Reed and Mrs. Miller that you wish to state that Mr. Hogan did not have any immoral or illegal relationships with you and that he definitely did not kidnap you or force you to do anything against your will or by force. I am further informed that you have told both Mrs. Reed and Mrs.

Miller that the reason you charged Mr Hogan with molesting you is that your mother, Mrs. Roberta Shipley, forced you to do so as she was trying to "get back" at Mr. Hogan for not letting her stay in his house. If this is true and you wish to clear the entire matter up you should sign this paper where indicated and I will present it to the District Attorney who will interview you to ascertain that this is the truth. In effect you are stating that Mr. Hogan never had any criminal relationship with you and that the reason you said it was your mother forced you to do so and that you now wish to tell the truth to both myself and the District Attorney to clear the matter up.

Sincerely,

s/ John J. Nealon

Russell Shipley s/ Russell Shipley

David Shipley s/ David Shipley

Teddy Shipley s/ Douglas Shipley

...ooo...

COPY OF LETTER TO MR. HOGAN
FROM J. NEALON

Law Offices
NEALON & NEALON
Number One Thomas Circle, Northwest
Suite 305
Washington, D. C.
Telephone DI 7-6646

John J. Nealon
Robert J. Nealon
Martin P. Black-Va. Counsel

May 12, 1969

RE: U. S. vs Hogan

Dear Mr. Hogan,

I received a call this date from Mr. Nunzio who informed me that an ad was run in the Sunday Post renting rooms at your address. I have verified this to be a fact. I am enclosing a copy of the conditional release form which you signed and which the District Attorney's office has ever intention of holding you to conform. As you know, the case is not over and Mister Nunzio has told me that unless you do conform strictly to the terms of this paper in re "move from your present address as soon as possible" he will have no alternative but to ask for revocation of the release. This, I cannot allow to happen, as you know as well as I do that jail is not the place for you. I am passing this information on to you with the certainty that you will do as you

have been asked and as you a
the release agreement. I ha
that can be done professiona
fully expect that you will c
with me on this.

I am sending a copy of
Nunzio so that he will be co
aware of the fact that you w
operate with me on this matte
caution you in stronger terms
above as the consequences cou
astrous to you.

s/ J Nealon
J. Nealon

JJNsd
CC/ Nicholas Nunzio, Esq.

...ooo...

AFFIDAVIT OF FRANCIS
BAKER, JR.

Oct. 30, 1969 CHARGED WITH -
CONFINE, INVEIGLE, DECOY
ABDUCT, CARRY AWAY, DID
DETAIN HIM 20

An affidavit in support for th
of an arrest warrant (US Comm
for the arrest of Earl Vincent
white male 71 years of 1902 L
street, Adelphi Maryland, for
violations of District of Colu
Title 22 section 2101.

POLICE REPORT::::

On October 28, 1968 Russell Shipley, white male 11 years of 642 Kennelworth terrace NE, reported to detective Francis E Baker Jr of the Sex Unit, CID, MPDC, that on Monday October 21, 1968 in the afternoon he and his brother Douglas Shipley 14 years were picked up in the shopping center Penna ave & Alabama ave SE Washington DC by a Mr Earl HOGAN. He told them he was getting their mother a new place to live and needed to take them out to Maryland to sign the necessary papers. He gave Douglas 15 dollars and told him to go in the drug store and buy a set of walkie talkies and meanwhile he brought some groceries. He then drove both boys out to a trailer house parked on a farm somewhere near Marlboro Maryland. He produced a paper and told both boys to sign it. He refused to let them read it and covered the top half of the paper as they signed it. Then he informed the boys that this paper was a confession that they had lied at his trial back in December. Russell told Mr. Hogan that he had not lied then and was not going to lie in the future, and he wanted to go home. Mr. Hogan made them spend the night alone in the trailer and stated he would be back in the morning. On Tuesday Mr. Hogan returned and took both the boys to the Prince Georges Welfare Dept, and they were turned over to their mother there.

Mrs. Robert Shipley, same address reports to Det Baker that both Russell and Douglas did not attend school Monday 10-21-68, and did not come home all night Monday. She contacted their probation officer Mrs Murray Hill at P. G. County Welfare Tuesday 10-22-68 and Mrs. Hill contacted Mr. Hogan by phone and gave him one hour to produce the children. Mr Hogan returned the children to the PG Welfare and they were returned to the custody of Mrs Shipley Tuesday 10-22-68. Mrs. Shipley further reports that Wednesday night 10-23,1968 Douglas again failed to return from school and she has not seen or heard from him since. She made a missing person report to the police, and responded to the Juvenile court DC and filed beyond controll papers with Mr. Jarvis of the Juvenile Ct. She further stated that Mr. Hogan is no relation of hers or the children and has no legal custody of the children, and that he has made threats against her every since the trial started.

POLICE INVESTIGATION::::

There is a missing person report on file for Douglas Shipley TT # 64-615 MPDC. He is still missing since Wednesday 10-23, 1968, and has not been returned to his mother as of 10-30-68. A further check revealed that on 10-28-68 Douglas Shipley appeared before Judge Bryant along with Earl Hogan at a motions hearing for a new trial, and Douglas testified at this hearing that his previous testimonie was perjury and that he was forced to say lies about Mr. Hogan. Mrs Shipley, mother of

this child was not present at this hearing and still has no knowledge where the boy is being held.

Mrs. Lewis A BUCK of 4211 Main, Upper Marlboro Md Phone: MA7 3540 was interviewed by Det Baker and stated that Mr Earl Hogan rents a peice of land from her for 40 dollars a month, and he has his own trailer parked on the land located on Route #4 in Bristol Maryland.

Det Baker responded to this area and observed a trailer parked on a farm at the intersections of Routes 4, 258 & 259 in Bristol Md. Interviewed a mrs Margaret Johnson who lives in a farm house about 100 feet from the trailer. She stated that last Monday night 10-21-68 Mr Hogan came to her door and asked for an electric extention cord to hook up the trailer, and said that his son would be staying in the trailer tonight. On Sunday 10-27-68 Mr. Hogan returned with other people and had the same boy with him and they cleaned up the trailer.

Interviewed Mr. Addison OWENS and his son Frank OWENS, owner operators of the Sunoco gas station at Route #4 and #258, phone 301-741-9749. Frank stated that on Monday Mr Hogan came to the gas station and paid ten dollars to him for work done cutting grass, and had two white boys with him and they were playing with walkie talkies. Late Monday night 10-21-68 Mr Hogan returned and saw Mr Addison Owens and gave him the remainder

ten dollars, and siad that the boys were going to camp in the trailers tonight. Later on Sunday Mr. Hogan returned to the Trailer and had one of the boys with him.

PROBABLE CAUSE:::::

Earl Vincent Hogan was found guilty before Judge Wm Bryant US Dist Ct on 12-21-67 to 2 counts of the miller act Criminal case # 1190-67. This case involved the same two boys Douglas and Russell Shipley. Sentence was delayed while the defendant was sent to St. Elizabeths for observation. In view of the foregoing information: Mr. Hogan taking these two boys into Maryland without permission, keeping them overnight and having them sign papers, and suggesting that they commit perjury, and in fact appearing with one of the boys Douglas Shipley at a hearing, and the child admitting to perjury at this motion, there is probable cause to believe Mr Earl Hogan violated the Kidnaping law, and it requested that a US Commissioners arrest warrant be issued for his arrest, for violation of the DC Code Title 22 section 2101.

s/ Francis E. Baker, Jr.
Det Francis E Baker Jr
MPDC

Subscribed and sworn before
s/ Sam Wertleh
Sam Wertleh US Commissioner, Wash DC this 30 day oct 1968

...ooo...

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on November 4, 1968

The United States of America

v. Criminal No. 205568

Earl V. Hogan Grand Jury No. 2624-68

Violation: 18 U.S.C.
1201, 1503
(Kidnapping, Endeavoring to
Influence a Witness)

INDICTMENT

The Grand Jury charges:

FIRST COUNT:

On or about October 21, 1968, within the District of Columbia, Earl V. Hogan did knowingly and wilfully transport in interstate commerce from the District of Columbia to the State of Maryland, Russell E. Shipley, who had theretofore been unlawfully seized, confined, inveigled, decoyed, kidnapped, carried away and held by the said Earl V. Hogan for ransom, reward and otherwise, to wit, for the purpose of influencing, intimidating and impeding the said Russell E. Shipley in the discharge of his duty as a witness in a matter then pending before the United States District Court

for the District of Columbia.

SECOND COUNT:

On or about October 21, 1968, within the District of Columbia, Earl V. Hogan did knowingly and wilfully transport in interstate commerce from the District of Columbia to the State of Maryland, Douglas T. Shipley, who had theretofore been unlawfully seized, confined, inveigled, decoyed, kidnapped, carried away and held by the said Earl V. Hogan for ransom, reward and otherwise, to wit, for the purpose of influencing, intimidating and impeding the said Douglas T. Shipley in the discharge of his duty as a witness in a matter then pending before the United States District Court for the District of Columbia.

THIRD COUNT:

On or about October 28, 1968, within the District of Columbia, Earl V. Hogan corruptly did endeavor to influence, intimidate and impede Douglas T. Shipley, a witness in the case of United States v. Earl V. Hogan, then pending in the United States District Court for the District of Columbia, Criminal No. 1190-67, in the discharge of his duty as such witness, by causing the said Douglas T. Shipley to testify falsely.

Attorney of the United States in and for the District of Columbia

A TRUE BILL:

Foreman.

...ooo...

AFFIDAVIT OF DOUGLAS T. SHIPLEY, JR.

(Title omitted - No. 1190-67)

STATE OF MARYLAND, COUNTY OF PRINCE GEORGE'S, S S:

I HEREBY CERTIFY that, before me, the subscriber, a Notary Public os said State, in and for said County, personally appeared Douglas T. Shipley, Jr., a witness in above captioned case that testified on the witness stand on the 20th. day of December, 1967, who is well known by the herein subscriber, and made oath in due form of law and states that the statements that he, Douglas T. Shipley, Jr., made on the witness stand on above aforesaid were FORCED, FALSE AND NOT TRUE.

I speak for David W. Shipley, I swear that he lied viciously

A T T E S T E D

s/ Douglas Shipley, Jr.

I HEREBY CERTIFY that on this 21 day of October, 1968 before me, the subscriber, a Notary Public in and for Prince George's County, State of Maryland personally appeared Douglas T. Shipley, Jr., well known by me, and made oath in due form of law that the matters and facts in the above affidavit are are true to the best of his knowledge, information and belief.

s/ Earl V. Hogan

(Seal) Earl V. Hogan, Notary Public
My Commission Expires 7/1/1969

AFFIDAVIT OF RUSSELL E. SHIPLEY

(Title omitted - No. 1190-67)

STATE OF MARYLAND, COUNTY OF PRINCE GEORGE'S, S S:

I HEREBY CERTIFY that, before me, the subscriber, a Notary Public of said State, in and for said County, personally appeared Russell Shipley, a witness in above captioned case that testified on the witness stand on the 20th. day of December, 1967, who is well known by the herein subscriber, and made oath in due form of law and states that the statements that he, Russell Shipley, made on the witness stand on aforesaid were FORCED, FALSE AND NOT TRUE. I speak for David W. Shipley, I swear that he lied viciously.

A T T E S T E D s/ Russell E. Shipley

I HEREBY CERTIFY that on this 21 day of October, 1968, before me the subscriber, a Notary Public in and for Prince George's County, State of Maryland personally appeared Russell Shipley, well known by me, and made oath in due form of law that the matters and facts in the above affidavit are true to the best of his knowledge, information and belief.

(Seal) s/ Earl V. Hogan
Earl V. Hogan, Notary Public
My Commission Expires 7/1/1969

..ooo..

EARL V. HOGAN'S RELATIONS WITH
THE ROBERTA SHIPLEY FAMILY

Many times since July 5th. 1967, on an average of possibly once or twice per month, "BURT" has called me by telephone telling me of her hardships and shortage of means for support. Many times she asked me to assist in trying to locate and apprehend "MACK" (her husband) for non support. I made three trips for her to the Recipocal Section Of The Court, and called them many times, giving them information of his whereabouts that had been given to me by a friend, Mary Ann Allison. I made several calls in that connection within the past thirty days since September 26th., 1968..

On October 3rd., 1968 weeping, wailing and bemoaning her financial plight, and the horrible neighborhood danger to her and her family, being attacked daily, even down to little Darlene, (6 yrs.) on the way from school. She had begged the housing authority for a year or more to place her in a home in an area other than a ghetto. She asked, if I could be a help in relocating her, and help to save their lives. Every time that she sends the boys to the food store, they are attacked by negro boys, that one time $13.50 was taken from Russell. Last time that he went to the store, a colored lady neighbor went with him to help and carry his food stamps for him. I told her that the only relief that I could offer promptly was to move her into a vacant house trailer that I have

at Bristol, Md. That, she could occupy that temporarily untill some housing closer in could be found. She was afraid to accept my offering, it would be too obvious understood to The Welfare, and that she would loose her support and that they would take her children from her.

On October 13th., 1968 there became available a three bed room home in the Greenbelt, Md. low rent project, which I had applied for her three years ago, I could buy it and rent it to her for $80 per. She agreed to look at it, but decided that it would be too obvious to The Welfare. I even offered to furnish support untill some other means could be arranged. She did not decide promptly.

On October 3rd 1968 when she was weeping, she asked me if I could give her some sheets and blankets, that the w[illegible]her was getting cool, that the heat had not been turned on in their home, and that they were very cold in their beds in the night. That evening at 8 P.M. I took her about a dozen sheets, some pillow cases, about 4 blankets and bed spreads. She asked me to bring some clothes hangers. I took a large carton full of the items weighing about 50#. I went into their home, was greeted very lovingly by many hugs and kisses by every one of the family. "BURT" agreed that I could come back next evening and take the three boys to a barber shop and have their hair cut, which was very

much needed; also that I could buy the three boys a portable radio each. Douglas, Jr. had stolen a radio at a store, and some mirrows for his motor bike and had been apprehended by the Police. Douglas, Jr. agreed that he would ask me in the future for things that he wanted, and that he would not steal anymore. Next day "BURT" phoned me that the Case Worker learned that I gave her (Burt) the bed clothes and coat hangers. The Case Worker had previously had promised to provide clothes hangers, and that she would not now have to provide them: "BURT" told me that I should not come to her home again for a long time, for that the Case Worker would be watching.

On Saturday October 19th., 1968 about 2 P.M. Russell called me without talking promptly, but making fun play of making sounds like cats, dogs and other noises, finally identifying himself by speaking up, and calling himself secret friend #2, and that Douglas, Jr. was secret friend #1. They talked with me alternately for about one hour, saying at each alternation "This is secret friend #1 or #2, whichever was the case." They told me of the terrible case of their suffering plight of attackt by negro boys, and that when they went home and told their mother, she would beat them unmercifully because they were attacked by the negro boys. She would do likewise when Darlene was attacked; at times she would ask negro lady negro neighbors to hold the children down across the hassock with

their pants down, and beat them with belts or wet towels untill their bottoms were blue. They told that they could never go outside the house except for very necessary shopping needs. They explained that they were phoning me while the rest of their family was asleep. At the ending of the conversation Douglas, Jr. spoke as if talking to a girl friend said goodby (Jane) I have to go now. He explained later about 7 P.M. that David, his 9 yr. old brother came into the room, and that they could not trust him about anything, that he would squeal terrible about any thing. About 7 P.M. they called me from a telephone booth near the side of the Little Tavern against the overpass bridge at Bennings Rd. and Minnesota Ave., N.E. They talked for about 15 minutes. At the ending they said that they had been to The Giant Food Store nearby and had bought two large bags of groceries and a carton of sodas. That there had just now appeared a group of negro boys grouped just outside of the phone booth with an attitude to attacking them and taking their groceries from them. They asked that I call the Police at #14 Station and ask them to come and rescue them. I told them not to hang up the receiver, but the act like that they were still talking. Fine. I hung up, and then called the Police, who promised to respond. In a few minutes Russell called back and said that the negro boys fled, and that they were now going to run home.

On Monday, October 21st., 1968 about 12:15 noon time Russell and Douglas, Jr. called me on the phone and said that they were in a phone booth in the drug store in The Pennsylvania Shopping Center, Pa. Ave., S.E. at the corner of Branch Ave. That they had skipped school. Before they left out from their home that morning, they had had a terrible fight with David and fuss with him and their mother. That David had pulled loose the light wires on Douglas's, Jr. motor bike and tore off a mirrow. That their mother ran them out of the home, and told them not to come back any more; that they were not going to go back to their schools any more; that they could not endure the persecution of the negro boys; that they were considering starting out to try to go to New York. They asked me to come over and get them and help them try to figure out what to do. I went over and met them in the drug store. I told them that they could not possibly quit school before they were 16 yrs. old. That the Police would pick them up on the street before very much time of wandering. They very soon called my attention to a walkie - talkie set on special sale price for $12.88, which was a regular $20 value. I had only about $15 in my pocket, and that I would not buy the set untill I could go to the bank and get more money. I told them that they must go back to their home and continue in school untill I could help figure out some kind of relief from their problem. They would not agree to go back to their

home. They started in to discuss the case of their COMPLAINT against me in Court. They were very regretful for the suffering caused caused to me, by complaint about something that I DID NOT Do. They would be willing to correct the wrong done by their forced complaint. They said that their mother told them before they went into Court, that if they did not tell in Court the things that they were told to say, that she would tear them, beating them terribly when they returned home.

Previously I had been told by friends that "BURT" had made statements to my friends that "I PUT THE OLD MAN AWAY IN ST. ELIZABETH HOSPITAL, I FORCED MY BOYS TO SAY WHAT THEY DID ABOUT HIM". On October 3rd., 1968 when "BURT" called me weeping about her plight, I pointed this fact out to her, and asked that she permit the boys to sign affidavits to this fact. She said that she could not permit that, because her children would be taken away from her, and that she would loose her Welfare support. After that I prepared the affidavits to have ready in case that she finally asked me to rescue her and her family from their plight.

When I went to the drug store to see the boys, I took the affidavits with me. When the boys told me of their desire to help relieve me of my suffering from the false complaints that they had made, they said that their only objections

were that their mother might find it out, and that they might have to appear in court again, and could not endure going to court; we do not like COURT. Finally they agreed to seriously consider it. They asked that I take them to my vacant house trailer at Bristol, Md. where we could sit down and consider the matter seriously. After about 15 minutes of discussing the possibility of of my applying to The Prince George's County Welfare asking the Welfare to give them assylum in the County and place them in a foster home. They willingly signed the affidavits. By that time it was about 5 P.M., which was after office hours of The Welfare. They asked that I let them spend the night at the trailer. I agreed to that. I went to my home and took back to them blankets and food. Next day October 22nd., 1968 I went back to them as they had requested in the afternoon, they wanted to enjoy themselves in the out of doors. Before going down to get them, I went to ask Mrs. Andrietti of The P.G. County Welfare if she would take them in and try to solve their problem. She agreed that I should bring them to her. I went back to the trailer about 2 P.M. I had to wait about 30 minutes; they were not there. When they came back, they said that they had been playing with a neighbor's cow, and had been having fun. I took them into Mrs. Andrietti about 4 P.M. and asked that

she do the best that she could for them, and that if I could be a help, let me know.

10/24/68 s/ Earl V. Hogan

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COPY OF LETTER TO EARL VINCENT HOGAN FROM SAMUEL T. ABRAMS

Real Estate Commission
State of Maryland

August 22, 1968

Mr. Earl Vincent Hogan
1902 Lebanon Street
Adelphi, Md.

Re: Broker's license of
Earl Vincent Hogan
T/A E. V. Hogan

Dear Mr. Hogan:

In compliance with Section 224 (s) (copy enclosed herewith) the Commission, at it's meeting on Thursday, August 15, 1968, has decided to revoke your broker's license.

Please return your broker's license and i.d. card, as well as those of your

salesman, John Hartt Barnett, immediately.

Very truly yours

s/ Samuel T. Abrams
Samuel T. Abrams
Executive Director

STA/ma

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

...o0o...

ORDER COMMITTING DEFENDANT TO SAINT ELIZABETHS HOSPITAL

(Title omitted - No. 1190-67)
(Filed: May 21, 1968)

This matter having come before the Court upon the statement of the United States Attorney filed on December 26, 1967, pursuant to 22 D.C. Code §3504(b), which statement includes a prior history of the defendant, which includes his conviction herein on two counts of taking indecent liberties with a minor child, it is by the Court this 21st day of May, 1968.

ORDERED that the defendant, EARL V. HOGAN, be, and he hereby is, committed to Saint Elizabeths Hospital for a period not to exceed 60 days for the purpose of an examination by two qualified psychiatrists, pursuant to 22 D.C. Code §3506(a); and it is further

ORDERED that for the purposes of this examination, the respondent shall be examined by (1) a qualified psychiatrist on the staff of Saint Elizabeths Hospital, to be designated by the Superintendent of the Hospital, and (2) a qualified psychiatrist on the staff of the Legal Psychiatric Service of this Court, to be designated by the Chief Psychiatrist of that Service; and it is further

ORDERED that each qualified psychiatrist shall, at the conclusion of his examination, but no later than July 19, 1968, file a written report with this Court, which shall include a statement of his conclusion as to whether the respondent is a sexual psychopath, and of the reasons for such conclusion.

/s/ Wm. B. Bryant
J U D G E

Omit 37-6
Out Count Lorton
R.C. 62 D.C. JAIL
Statement of Sentence
Name HOGAN, Earl V.
DCDC# 159495 Location CB-2
C.C.# 1190-67
Date 11-8-68 Sentence 1 to 7 years
less 130 Days
(St Elizabeth)
Open Case Comm. Docket 32 Case 8
Parole Elig. Date 6-30-69

Short Term Exp. 8-27-73
Full Term Exp. 6-30-75

REMARKS: Maximum Supervision 1-1-75

s/ JM
Record Clerk

Name----------D.C.D.C.--------
Date ----------19--Box 25, Lorton.
Va., 22079

REGULATIONS

Senders full name and address must be on the ouside of the envelope. Money sent to Inmates must be by certified check or money order. Cash is not acceptable.

30th Oct	2
Nov	30
Dec	31
Jan	31
Feb	28
Mar	31
Apr	30
	183
St Elizabeth Hospital	130
	313

...o0o...

COPY COPY COPY COPY COPY

Office of The
PROBATION OFFICER
United States District Court
For The District Of Columbia
Washington, D.C. 20001
October 1, 1968

George W. Howard
Chief Probation Officer

Fred Peterson
Chief Deputy Probation Officer

MEMORANDUM TO THE HONORABLE
WILLIAM B. BRYANT

Re: HOGAN, Earl V.
CC #1190 - 67 (Taking indecent Liberties with minor child)

Your Honor will recall that the above-named man was found guilty of two counts of a three count indictment charging him with Taking Indecent Liberties with a Minor Child. The case was referred to this office for presentence investigation on December 21, 1967. Since we submitted our presentence report on Hogan dated March 6, 1968, defendant was committed to St. Elizabeth Hospital for mental examination. The last docket entry in this case is dated September 10, 1968 and indicates that a letter from St. Elizabeths stating that defendant is mentally competent to assist in preperation of his defense was filed on that date. Our precentence report reflects that Hogan had his freedom

on a monetary bond at the time when we were conducting our investigation. He was not in custody at the time when he was committed to St. Elizabeth Hospital.

On September 27, 1968 I received a telephone call from Sgt. Collins of the Prince George's County Police Department. He reported that Hogan is back at his place of residence on Lebanon St., in Adelphi, Maryland and that a couple of Hogan's neighbors have been complaining of some activities connected with the home. There has been a complaint first that young boys were going in and out of the house. In addition, a woman with three sons has moved into the home and there has been a complaint of the woman's behavior in a disorderly manner. Sgt. Collins, who knows something of Hogan's background, has stated that even with the complaints his office does not have enough information to take action. Mr. Fersinger, one of my probation officers, lives down the street from Hogan's address and he has confirmed to me that both Mrs. James and a Mrs. Hirschman (Hubshman) are disturbed about the Hogan situation.

I thought that I should impart the above information to your Honor.

Respectfully submitted,
GEORGE W. HOWARD
Chief U.S. Probation
Officer

...o0o...

NOTICE BY DEFENDANT, EARL V. HOGAN TO JOHN J. DWYER AND AS INFORMATION TO THE COURT

(Title omitted- No. 1190-67)

John J. Dwyer, withdrawn Counsel, did willfully and intentionally, with appearent vicious intent, conceal from Defendant, Earl V. Hogan the damaging reports by St. Elizabeth Hospital dated Sept. 6th., 1968 and by The Psychiatric Division of The Court of Sept. 30th., 1968. Earl V. Hogan was released from St. Elizabeth on September 26th., 1968, and told by a U.S. Marshall in the basement of the court house, "POP YOU ARE ALL RIGHT", and I was reaeased on bond, with the impression that the Hospital report was free of any damage. John J. Dwyer did not contact the Defendant, who later went on October 23rd., 1968 to Mr. Dwyer's office, who then exclaimed: Why did you not let me know where you were? Not untill Mr. Dwyer's letter of Jan. 23rd., 1969 to Earl V. Hogan, received by Earl V. Hogan on January 30th., 1969, in which Mr. Dwyer noted the need of getting a doctor from St. Elizabeth Hospital to testify in Defendant's behalf, did Defendant even suspect any damaging report. On February 7th., 1969 Defendant received all legal papers in the case returned to him, in which the said reports were included.

Earl V. Hogan's, Defendant's rights were violated by sending him to St. Elizabeth Hospital. (MOTION FOR ACQUITTAL OF January 21st., 1968) John Dwyer did not appear in Court on May 20th., 1968 to Protest, and to Protect Defendant's RIGHTS.

John J. Dwyer is hereby notified of a liability developed in such ACTIONS.

Respt.,

s/ Earl V. Hogan
Earl V. Hogan, P.O. Box 25,
Lorton, Va. 22079

...ooo...

DEFENDANT, EARL V. HOGAN'S STATEMENT OF FACTS TO CHIEF JUDGE CURRAN OF THE COURT, TO JUSTIFY CHARGE OF PREJUDICE BY JUDGE WM. B. BRYANT TOWARD DEFENDANT, EARL V. HOGAN

(Title omitte - No. 1190-67)

Judge Bryant permitted Allan M. Palmer, Asst. D.A. to prosecute by DOUBLE JEPORDY The Defendant, Earl V. Hogan for three hours, from his opening prosecution statement untill 3:P.M. Refer to transcript of trial for the day of Dec. 18th., 1967.

Judge Bryant heard Allan M. Palmer state that he proposed to convict Defendant on the record of his past life, because of the fact that he had no corroborating witnesses for evidence, which is required under the law in the case.

Judge Bryant dismissed Count No. 3 in the charge, because of the lack of witness corrobation, but permitted Allan M. Palmer to make full time cross examination on that Count. Judge Bryant convicted Defendant on Counts Nos. 1 and 2, altho there was no witness to corroborate statements of complainants.

Judge Bryant used as convicting evidence the statements by complainant of Count No. 3 in his sentence statements on November 8th., 1968.

Judge Bryant, by facial countenance disturbance, upon statement by the Defendant when on the witness stand, that when Mrs. Roberta L. Shipley gave custody to Defendant of Douglas T. Shipley, Jr., Defendant took the child out of a basic class, in which there were no other white children, and at the age of ten years old, having been in the class for four years, and was not doing good first grade work.

When the Defendant left the witness stand after testifying, Judge Bryant stated, "Frmom the way that you speak (tone of your voice) I am convinced that you are guilty."

Judge Bryant violated my rights in sending me to St. Elizabeth Hospital on May 20th., 1968. MOTION BY DEFENDANT TO ACQUITT FILED January 21st., 1968. There was sign of collusion between my lawyer, John J. Dwyer and Judge Bryant. The two of them did concur in sending Defendant to St. Elizabeth Hospital by the influence of telephone calls from Defendant's vicious beastly enemy neighbors, Lloyd E. James, Sr., Lynette JAMES and Carol Hubshman, who assured them that they knew that that Defendant's character was such that Defendant would definitely be committed for life by the hospital. Said neighbors were defendants in a large damage suit by Defendant. John J. Dwyer did concur by not appearing in Court on May 20th., 1968 to protest commitment of Defendant for observation, thus refusing to protect Defendant's RIGHTS, for which he was paid.

Judge Bryant used a FARCE statement by Allan M. Palmer "AS TO SEXUAL PSYCHOPEATHOLOGY PURSUANT." in his order committing Defendant to St. Elizabeth Hospital.

Judge Bryant and John J. Dwyer acted out a vicious SCENARIO right before Defendant on November 8th., 1968 in the sentenacing ceremony, which bore all of the marks of collusion. Refer to the transcript of that date.

Judge Bryant refused to grant bond untill Appeals Court hearing, Altho, he has a record of granting such bonds to defendants of the Negro race involved in very vicious crime.

Judge Bryant blocked the granting of bond in Appeals Court on December 12, 1968. applied for by Defendant.

Note the following letter dated January 23rd., 1969 from John J. Dwyer to Defendant:

Dear Mr. Hogan. Mr. O'ROURKE has just returned to the office after his consultation (in jail) with you on my behalf this date. It appears that there had been some failure of communication both on the procedure and the fee which I will require. It appears that we do agree that you have paid me $800 to date. (No communication from him for about 90 days). As you well know the number of times that I have appeared in court in this case, (about 10 times 3 hrs. ea. most of which you were not even there, far exceeds the $800. The fee for Mr. Herman Miller's case is $1,500 (quoted $500) My fee for the kidnapping case is $2,000. (quoted $500) In view of the fact that the kidnapping case involves a life sentence. (no evidence or intent)

I feel confident that on the appellate error which I have you will be awarded a new trial. I feel that we should use the St. Elizabeth psychiatrist in the new trial in order to get not guilty by reason of insanity verdict. (I should pay $3,500 to commit myself to St. Elizabeth Hospital. (I can go up there any any day and do that myself) (I cleared out of there Sept. 26th., 1968 with competent grade) I am fully aware of your feelings about labels. However, I am concerned on your behalf as to the practical ends to be accomplished. We can litigate this matter for a couple of years and the Court of Appeals, including the District Court has already denied an appeal bond, which in essence means you would be held at Lorton. This I want to forestall. The kidnapping case I would raise the same defense. In view of the psychatrists' report on file now, I do not feel that you would be at St. Elizabeth for a very long time (wretched guessing). The rule over there is immediate commitment in John Howard Pavillion and then moving you out to one of the other services giving you town privileges and then complete discharge. (such flowerdy picture) It would seem to me that this would be the practical way out of your troubles.

Mr. O'Rourk has also informed me that you are attempting to get the people to withdraw charges and the kids admit they lied. I frankly believe you

are whistling in the wind. No. 1., the woman cannot withdraw charges. No. 2, we have already been down the road about the kids saying that they lied. (Bryant & Dwyer made sure that those signed affidavits of the boys did not go over in the case file to the Appeals Court). This is a weak reed to lean on. You want out of any type of custody, and I want to help you get out of any type of custody. Necessarily the decision is yours and I can fully appreciate your emotion state at present time. However, I must follow the procedures set up by the Court. This is what I am doing.

Very truly yours,

JOHN J. DWYER.

This letter indicates a complete sell out to Lloyd E. James, Sr., Lynette James and Carol Hubshman, my vicious enemies, and a showing of full accord with Judge Bryant's PREJUDICE.

Refer to transcript of the hearing of February 14, 1969.

Respectfully,

s/ Earl V. Hogan
Earl V. Hogan 3/30/69

COPY sent to The United States District Attorney. E.V.H.

AFFIDAVIT OF PREJUDICE WILL FOLLOW.

....ooo...

MOTION FOR ACQUITTAL

(Title omitted - No. 1190-67)

THE BASIS FOR ACQUITTAL OR CONVICTION SHALL BE BY LETTER OF THE LAW; NOT ON THE MALICIOUS DESIRE OF THE DISTRICT ATTORNEY TO DAMAGE DEFENDANT.

5th. Amendment TO THE CONSTITUTION OF THE UNITED STATES:

No person shall be subject for the same offence to be twice put in jepordy of life or limb; nor shall be compelled in any criminal case to be a witness against himself.

DEFENDANT in this case has been viciously prosecuted again for many hearsay cases of complaint (No hearing in court) in the past history of his life; Against the Constitution Of The United States.

STATEMENT BY ALLAN M. PALMER, ASSISTANT UNITED STATES ATTORNEY, AS TO SEXUAL PSYCHOPATHOLOGY OF DEFENDANT TO D.C. CODE Section 3504 is SO VICIOUSLY FALSE AS TO JUSTIFY ACQUITTAL.

SECOND COUNT: Charges made by complainant David Shipley were not corroborated.

D. C. CODE #14 - 301: Notes To Decisions: 2. Competency of Children As Witnesses. The competency of a child as a witness depends upon capacity and intelligence of the child, his appreciation of difference between truth and falsehood, as well as of his duty to tell the truth. In order to be competent as a witness, a child should have a just appreciation of difference between right and wrong.

(This can be verified at the schools.) All of Roberta L. Shipley's children are very much retarded. They have very little mental capacity for learning anything. They are brainwashed and slaves to her command to act and speak just as she demands.

David Shipley is a medium imbecile plagued with spells of hallucinations. He can not tell the truth or adjust himself to any circumstance. His mother keeps him in his bed room most of the time that he is not in school.

These Shipley Children are grandchildren of Robert Shipley and Florence Shipley of 5129 Baltimore Blvd, Hyattsville, Md. Robert Shipley and Florence Shipley are blood kin first cousins. Such relatives beget insanity in varing degrees. (Brothers and sisters beget deformed animals.) There is not a one of the eight children of Robert Shipley and

Florence Shipley that are normal mentally. One of their boys, Sonny Shipley, 3703 36th. St., Mt. Rainer, Md. and another, Jimmy Shipley, 7010 Westmoreland Ave, Takoma Park, Md., both are rated incapable of earning a living by The Prince Georges County, Md. Welfare Board, and are supported on welfare. All of their children have no moral foundation, and live far below any decent human standard. All of them have had numerous spouses without divorce, and have long records of law violations, and have no regard for truth or honesty.

Roberta L. Shipley was born in Johnson City, Tenn. of a floating prostitute for a mother and a Mr. Curtis, a bachelor fornicator. They never kept household. Roberta L. Shipley was raised by one of her aunts. Her mother had other children by other men, but never set up a household. She died in jail. Her father had other children by other women.

At the age of 15 yrs. Roberta L. Shipley took off with Ringling Bros. Circus and a man that guessed peoples weight, and followed into Florida where she married the man. She returned to Johnson City, Tenn. and married another man. At the age of 17 yrs. she came into Takoma Park, Md. and met Douglas T. Shipley, Sr., in a beer joint. She was married to him without obtaining divorces from

the two other men that she had married. This information is is furnished by Mrs. Claude Reed, 8121 14th. Ave., Langley Park, Md., who is an aunt by marriage of Roberta L. Shipley, also by two other aunts in the metropolitan area, Mrs. W. Cole and Mrs. Ruby Wellen.

Included herewith are copies of court cases showing the drunken lives lived by Douglas T. Shipley, Sr., and Roberta L. Shipley. which shows total lack of honesty and truthfulness in lessons of life before their children.

During approximately four years from 1962 to 1966 James Randolph, age 18 to 22 yrs. was courting Judy Shipley, age 12 to 16 yrs., daughter of Roberta L. Shipley in their home, with the idea of keeping James Randolph sexually off Judy Shipley, Roberta L. Shipley took on sexually James Randolph. James Randolph showered both mother and daughter, with expensive gifts. This information is furnished by Jackie Cheek of 3315 15th. St., S. E. Phone 562-1758. James Randolph brought in licquors for the occassions.

On June 20th., 1967 Earl V. Hogan, Defendant, at the request of Frances Bostic, age 48 yrs. took Frances Bostic and her son, Paul, age 17 yrs. and son, Larry, age 11 yrs. to Roberta L. Shipley's home at 1617 22nd. St., S.E. to spend the night

visiting with the Shipley family. At 2 A.M. in the morning of June 21st., 1967, Earl V. Hogan's phone rang and he picked up the receiver without speaking. Robert L. Shipley had rang Earl V. Hogan's number, but intending to ring the number of Vickey Ficco, the prostitute that Douglas T. Shipely was living with. Roberta L. Shipley was so drunk that she had no reasoning. She cursed at "VICKEY" for 15 minutes in words such as "You S.B. mother-fucker, I am going to come over and ram my foot and shoe up your ass hole. I am coming over now, you had better be ready" After Roberta L. Shipley finished her course, she handed the receiver to her daughter, Connie Shipley, age 15 yrs. Connie carried out a course of about 15 minutes, repeating the cursing that she had just heard her mother say. Earl V. Hogan distinctly identified the voice of Larry Bostic in the back ground, and the other children's laughter at the cursing going on.

During about three weeks in August, 1967 Earl V. Hogan mailed to Douglas T. Shipley, Jr., 1617 22nd. St., S.E. five different envelopes containing greenback dollars in amounts $3., $3., $3., $5., and $5., so that he could have spending money and not have to shoplift at the stores for his luxuries as he otherwise does. Douglas, Jr. told me on the phone that he did not get the money. Mike

O'Malley, 21 yrs. old, who lives in the basement with the owner of the home, Daniel J. Gorham, 1617 22nd. St., S.E. told me that Roberta L. Shipley sent him to the liquor store with that money to buy her liquor with, and that they had drunken brawls and sexual intercourse.

During the month of November, 1967 three men relatives of Roberta L. Shipley and her aunt, Mrs. Claude Reed, came up from Tenessee to visit relatives here. They went into the home of Roberta L. Shipley to visit at 3 P.M. and stayed untill 3 A.M. the next morning. They had the most vicious drunken brawl and sexual intercourse spree. They made three very expensive long distance calls on Roberta L. Shipley's telephone to relatives in Tennessee.

On December 20th., 1967 in the hall in front of court room #16 during the trial of this case, Daniel J. Gorham, a witness in this case told of regular intervals of drunken brawls by Roberta L. Shipley, and how he and his pal, Mike O'Malley go up and pick her up and put her on the bed and indulge in sexual intercorse with her on these occassions.

As the result of witnessing such behavior of Roberta L. Shipley, her children have no appreciation of difference between right and wrong, or truth and falsehood, but speak and act according to her command.

Defendant, Earl V. Hogan respectfully requests this Court for full acquittal in this case.

s/ Earl V. Hogan
Earl V. Hogan. Defendant.

Jan. 21, 1968

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DEFENDANT'S DENIAL OF ALLEGATION BY ALLAN M. PALMER, AST. U.S. ATTORNEY AS TO SEXUAL PSYCHOPATHOLOGY PURSUANT OF DEFENDANT, TO 22 D.C. CODE #3504.

(Title omitted - No. 1190-67)

#22 - 3503 Definition:
(1)

The term "sexual psychopath" means a person, not insane, who by a course of repeated misconduct in sexual matters has evidenced such lack of power to control his sexual impulses as to be dangerous to other persons because he is likely to attack or otherwise inflict injury, loss, pain or other evil on the objects of his desire.

No evidence has been presented in this or any other Court indicating any such dangerous lack of ability to control his sexual desires.

Defendant, Earl V. Hogan has been for the past thirty - five years a student in psychology, or science of the mind, dealing with sexual education.

Defendant, Earl V. Hogan requests This Honorable Court to place on the witness stand any or all persons named in Asst. U.S. Attorney's statement, and question them regarding any fear of dangerousness of Defendant.

Asst. U.S. ATTORNEY'S statements as to William Cox, Harold Wayne Thomas and Raymond Blasi ARE STRICTLY HEARSAY, and never presented in any COURT.

Defendant, Earl V. Hogan DEMANDS of This Court, THAT Allan M. Palmer, Asst. U.S. Attorney be required to give the names of neighbors and record in this case, such neighbors referred to in the last paragraph of his statement, THAT "A YOUNG MALE IS OCCUPYING THE BASEMENT WITH EARL HOGAN".

Respectfully Submitted,

s/ Earl V. Hogan
Earl V. Hogan, Defendant

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R E S U M E I N F O R M A T I O N
EARL V. HOGAN - Criminal 1190-67

My wife, Onita L. Hogan (Cress), 67 years old, deserted me September 17th., 1960 after living with me for 39 years from June 8th., 1921, date of our marriage. She was a school teacher for 20 years during our married life, and was teaching when I married her. She was out of school a few years each time at the birth time of our two children in 1922 and in 1933. The boy born in 1922 died in 1966 of infacema. His wife and three boys, 20 yrs., 16 yrs., and 14 yrs. live in New Hartford, a suburb of Utica, New York. My wife lives with them. She was rated an a moralist (attitude toward sexual indulgence) by a psychology-sex teacher at The University of Maryland. Our daughter, 45 yrs. lives with her husband, Robert W. McDonald, 41 yrs., and son, 16 yrs., daughter, 13 yrs., daughter, 10 yrs. & daughter 6 yrs., in Merritt Island, Florida. Robert McDonald took two years technical electronics at Capital Radio Institute, 16th. & Park Rd., D.C., and is employed as a technical electrical engineer with N.C.A. at Cape Kennedy in firing the missels at a salary of $16,000 yr. My own son, Earl V. Hogan, Jr. graduated, electrical engineer, 1947, univ. of Maryland; employed by General Electric Co., Utica, New York for 19 yrs. worked up to departmental head of electronic development engineering at a salary at $25,000 yr..

A contributing cause for my wife leaving me, was my arrest in April 1960

by complaint by the mother of Raymond Blasi, mentioned in the statement by Allan M. Palmer, Asst. U.S. Attorney, as to sexual psychopathology of defendant. Raymond Blasi would not be a witness against me. The complaint was finally based on a statement of Charles Blasi, 12 yr. old brother of Raymond Blasi, and read "Contributing to the delinquency of a minor". When the prosecution decided that they had nothing to go on, my lawyer made an agreement "Probation without finding of guilt". COPY OF AGREEMENT HEREWITH.

Mrs. Constance Rutledge now living at 89 Linden St., Brookline, Mass. 02146 did live in my home renting a sleeping room of me for six months in 1965. She had living with her a 12 yr. old son. She had deserted her second husband, claiming sexual molestation and homosexual relations with her 12 yr. old son as the reason for deserting. Mrs. Rutledge and her son developed a friendship with Lloyd E. James, Sr., Lynette James, their son Rickey James, 12 yrs. and their son Lloyd E. James, Jr., 15 yrs. old neighbors of mine adjoining me on the east side, who are defendants in my court suits for damage for $800,000. Mrs. Rutledge told me of statements made by the Jameses that my wife had talked to the Jameses after she deserted me, complaining about the Raymond Blasi case and my friendship with other boys from which she suspected sexual relations. Lloyd E. James, Sr. told Mrs. Rutledge, "I can take you right down to the court house and show you records of arrest of Hogan for sexual offenses. Some of my

other neighbors have told me of numerous & slanderous statements by Jameses. The Jameses have molested me for six years. Some information of this is given in my Complaint to the Federal Court in Baltimore of which you have read. Their slander of me was very vicious and wide spread. I expect to summons about 100 witnesses for the trial. It became so malicious that teenage boys would scream "queer" as I drove along the streets in this neighborhood. It hushed up in a flash after April 5th., 1967 when the U.S. Marshall from Baltimore served notice of my suit against the eight defendants for $1,350,000 damage. Molestation of me began soon after my wife left, when friends or roomers would come into my house and leave their car parked at the curb adjacent to the Jameses side yard. When the callers would go back to get into their car, Lloyd E. James, Sr. would run out to their car and tell them to stop parking in front of his house, and that they should stay away from that old bald headed queer. I had two strong young men rooming with me, 18 and 20 years old, hardened laborers named Donald and Ronald Floyd. One day they went out to get in their car, and Lloyd E. James, Sr. came out telling them to stop parking in front of his house. The Floyd boys leaped out of their car and dashed after James, who barely cleared inside his house before the Floyd boys could get a hold of him. I finally reported to the Police the molestation of people parking on a public street, and James was given a warning. Much of the molestation was promoted through the son, Rickey James. I did keep a spare key to my house

up on the top hinge of the window near my front door. One day I came home and the key was down on the ledge of the window in plain view. When I came inside of the house, I found it about full of gas. I rushed to the cook stove and found the gas jet to the oven, which does not light from a pilot, wide open. I closed the gas jet and opened the doors and windows. If I had been a little later, the house would have filled with gas down to the pilot light by the four top burners, and the gas would have been ignited and blown the house to pieces. Some one used the toilet, and did not flush it. I reported it to the Police stating a suspicion of Rickey James. The family was questioned.

Much of the molestation was to my boy, Douglas T. Shipley, Jr., that was given to me by his mother. Douglas, Jr. had a dog that we kept in our back fenced yard. Rickey James dug a hole under the fence, so that the dog could go into James' back yard, that he could play with the dog. I filled up the hole with rocks and dirt. In the far back corner of the yard next to the James' yard, I had placed top soil to plant flowers in, which made the fence low. Rickey James taught the dog to jump the fence at the low point, I fastened a piece of net wire on top of the fence to make it higher. Rickey James took the net wire off of the fence two or three times and threw it back in our yard. When I went and put it back up again, Lloyd E. James, Sr. came out of his house and began taking it down. I threw a large rock about 3" in diameter toward him

James called the police. The Policeman blamed James for instigating the matter. I got Douglas, Jr. at different times, three different small pup dogs. Ricky James stole them and took them several blocks away and gave them to his friends. We recovered one and verified the facts. Ricky James stole two kittens, never found. Douglas, Jr. had a four wheeled soap box scooter to ride down the hill in, and Rickey James grabbed Douglas, Jr. by the neck, scratching blood, and took the scooter away from him. On October 8th., 1963 the James boys and two boy friends were sliding off my driveway down a grass covered hill, of which about one foot of ground at the bottom of the hill was in the James' yard. I went out with a rubber covered wire lash in my hand, which I called my black snake, and told them that it was the third time that I had told them to stay off of my yard. Mrs. Lynette James came rushing out of her house stating that she would call the police for molesting her boys, and THAT I AM GOING TO RUN YOU OUT OF THIS NEIGHBORHOOD, YOU JAILBIRD. In the week of July 22nd. 1966 Mrs. Roberta L. Shipley spent a week in General Hospital. She would not trust her husband to keep her children. I took care of her seven children, ages 2 yrs. to 15 yrs. in my home while Mrs. Shipley was in the hospital. The children had tricycles, bicycles and scooters, and would roll down the street and around the corner playing. One day the children came in and told me that the James boys were shooting rocks at them with rubber band shooters, and that Mrs. Lynette James told them to stop rolling in the street in front of her house. I told them that the street was a public street and

that they could play in it. I went out on the side walk on the side yard of the Jameses, and the Mrs. James met me, and said Hogan keep these negroes from in front of my house. (Forming her color idea from the fact that they lived in a negro area, 247 - 37th. St., S.E. D.C.) I called the police. They told me to go to The Hyattsville Justice of The Peace. At that time Lloyd E. James was a candidate for election to the office of States Attorney to The Circuit Court in Upper Marlboro. The Justice Of The Peace would not accept a warrant from me. I went to the incumbent States Attorney in Upper Marlboro, who was also a candidate for re-election. He said that I cannot afford to take any action against such an opponent. (POLITICS-DEMOCRACY,??????)Lloyd E. James, Sr. did not get enough votes to elect him to dog catcher. He may be simple enough to run again this year, but no announcement yet. If so this will be published. One time Douglas, Jr. was riding his bicycle in the street around the corner. Rickey James and three friends tried to throw up a road block, catch him and hurt him. Douglas, Jr. escaped, ran the blockade, came around the block, came in and told me. I went out and told Rickey James that I was going to report him to the Police. (Which I have done 14 times) Mrs. Lynette James came out and hailed me walking along my driveway, and said, "If you report my boy to the police one more time, it will be the end of you." She threatened twice to kill me. She told neighbors that she was trying to hire some one to kill me. Douglas, Jr. was standing in our back yard. She told him over the back fence, "I am going to kill you and

Mr. Hogan, you little whore." I entered Douglas, Jr. here in the Langley Park, Md. school in September 1965. Very soon after them, A Prince Georges County Policeman, Capt. Ferris of the sex squad went into the school and had Douglas, Jr. come to the office, and questioned Douglas, Jr. about sexual relations with me, and according to Ferris' written statement read in Court, Ferris was convinced that there had been none such. On May 27, 1966 on complaint from the Jameses and the Hubshman, neighbors, who were the only witnesses to appear in Court. The Welfare Board instituted an inquiry into claimed NEGLECT and UNDER IMPROPER GUARDIANSHIP OF Douglas, Jr., The Hearing in Juvenile Court denied the complaint. It was appealed to The Circuit Court, where the court affirmed NEGLECT, but not under improper guardianship, and Douglas, Jr. was required to return and live with his mother. Douglas T. Shipley, Jr. testified in Juvenile Court on October 13, 1966 and in Circuit Court on January 23, 1967 that there had been no sexual relations between himself and Earl V. Hogan. The Judges decision of NEGLECT was based on hearsay complaints of 1958, 1960 and 1964 against Earl V. Hogan.

Incited by the Jameses slander, three teenage boys, Frank Shannon, 8122 - 20th. Ave., Chuck Fuentes, 1932 Merrimac Dr., and Dennis Eastridge, 8110 - 19th. Ave., all of Adelphi, Md., this neighborhood, did on about the first day of October, 1966 about 7 P.M., when I was absent from my home and Douglas T. Shipley, Jr. was at home alone, try to break my front door open with intent to man attack Douglas, Jr. I had the police apprehend them. They were released to their parents custody.

The Jameses and the Hubshmans promoted, aided and abetted the case of my arrest for assault on Dennis Eastridge on November 23rd., 1966, Criminals Appeal No. 10713. I was acquitted on February 6th., 1967.

You have a copy of my damage suit against Mrs. Homer Eastridge for that arrest.

You have a copy of my damage suit against the eight defendants for the damage to Douglas T. Shipley, Jr. in the case of NEGLECT. Filed March 28th, 1967.

You have a copy of my damage suit against Lloyd E. James, Sr. and Lynette James filed in June 1967 for $700.00 for slander and molestation and promoting, aiding and abetting my arrest in Mrs. Homer Eastridge case.

Mrs. Roberta L. Shipley moved out of my house at 2011 Evansdale Dr., Adelphi, Md. and back into D.C. at 1617 22nd. St., S.E. on May 15th., 1967. For about four years her telephone had been listed in my name for guarantee payment of charges. She was approved to receive Welfare assistance about June 1, 1967. I had loaned her money to live on from October 8th., 1966; when she had separated from her husband because of his threats to kill her. Her application for Welfare assistance was taken and approved by FRANK HUSH, 101 E. Street, N.W.,D.C. for FIVE of her children, Douglas T. Shipley, Jr had been living with me for three years, and his legal residence was in MARYLAND, Mrs. Shipley made application for his Welfare assistance to Mary K. Hill, Prince George Board of Public Welfare, 4318 Rhode Island Ave., Brentwood, Md. Mary K. Hill is the

Welfare investigator that did the investigating of the complaints by the Jameses and the Hubshmans that charged NEGLECT of Douglas, Jr. Mary K. Hill is a Defendant in the Court case in The U.S. District Court in Baltimore, Md. Mary K. Hill and Frank Bush were in close contact for weeks during the considering and approving, Mrs. Shipley's Welfare allowance; D.C. $236.50 mo., Maryland $42.17, mo.

On about July 1st., 1967 Frank Bush phoned Mrs. Shipley that she would have to have her phone put in her own name, have the number changed and not let me know the new number. Mrs. Shipley learned that The Telephone Co. required her to make a $40 deposit to guarantee payment of charges. She protested to Frank Bush about using so much money for such purpose. Frank Bush told her that it must be done. About July 6, 1967 Mrs. Shipley told me that the phone would be changed, And that the Welfare investigators were coming to her house to talk to her three boys and that I should not come near there. That evening she left a message on my electronic recorder telephone answering devise, saying that the two Welfare investigators came with Police Officer F.E Baker of the sex squad and that the boys told them about that stuff about me. and that I should not come near her house again. About 6 P.M. on July 28th., 1967 Officer F.E. Baker phoned to me to come down to #1 D.C. Police station for arrest. I went and made Bond.

The matter that Douglas T. Shipley, Jr., claimed happened covered a four year period, WHICH IS NOT SPONTANEOUS COMPLAINT, BUT FORCED STATEMENT. The matter that

Russell Shipley and David Shipley claimed was supposed to have happened June 24, 1967, the day that we were at 3721 Georgia Ave., N.W., which date they used in the warrant. Before the Grand Jury they changed the date to June 16th., 1967, which is the date that we went to Bristol, Maryland to clean out a house trailer that was vacant. Which represents two or three weeks laps of time. WHICH IS NOT SPONTANEOUS COMPLAINT. BUT FORCED STATEMENT. June 24th. and June 25th. are the days that we moved furniture from 3721 Georgia Ave., N.W. Their first statement was that we went there to collect rent - THE APT. WAS VACANT. All of their statements were conflicting, and indicated FORCED STATEMENTS. IN FACT - THERE WAS NOT ONE WORD OR ACT CONCERNING SEX DURING THE TIME.

The Jameses and the Hubshmans went over to the Shipleys home right after June 6th. and became friends. They were bitter enemies previously never spoke before. Mrs. James had called Mrs. Shipley's children negroes. James became Mrs. Shipley's lawyer. (REASONING) (I would be convicted of ruining her children) (James would handle her suit against me (she would get everything that I have) James did have her name withdrawn from the damage suit against the 8 defendants, including Mary K. Hill; The U.S. District Court in Baltimore,

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W A R R A N T # 7732-67 July 27, 1967
O F F I C E R BAKER

U.S. # 6899

vs.

Earl V. Hogan, 1902 Lebanon St. Adelpi

Mr. Hogan has been a friend of my family for several years. On Saturday June 24th., 1967 Mr. Hogan picked up me and my brother, David Wayne Shipley, who is 8 yr old, and took us with him to clean out the house where we used to live. Instead of taking us to our old house, he took us to an apartment over a T.V store on Georgia Ave., and when we got there he gave David a quarter. Mr. Hogan was lying on the couch, and then he sat up and told me to come over to him. I went over to him and he told me to lie down. I laid down and then he kissed me in the mouth and laid on top of me and was moving around on top of me for about four or five minutes.

Then he gave me a quarter, and I went the store next door. I bought something to eat and sat down and was eating it. Then David came down from the apartment and told me that Mr. Hogan had kissed him. Then, David ran back up stairs and when I strated up the stairs, Mr. Hogan and David were both coming down the stairs. I didn't tell my mother about this until a few weeks later after David told her what had happened to him. Then I found out from David, that while I was at the store, Mr. Hogan came over to his chair

and kissed him, and then unzipped his pants and played with David's weewee. David also said that one other time, when we went over to him in the house, and took his pants down and played with his weewee. He said that Mr. Hogan on that day when we were on Georgia Ave. with Mr. Hogan, when we left there and were in the car, Mr. Hogan told us not to tell our mother or our brother Douglas, because Douglas would get mad.

A N A L Y S I S OF A B O V E

I PICKED UP DOUGLAS T. SHIPLEY, JR., 13 YRS., RUSSELL, 10 YRS., DAVID, 8 YRS.

You will note that no mention was made of DOUGLAS (TEDDY)

I HAD ALERTED THEM FOR MORE THAN A WEEK, THAT I WANTED THEM TO HELP ME MOVE SOME FURNITURE FROM 3721 GEORGIA AVE., N.W. to 2011 EVANSDALE DR.? ADELPHI, MD., AS SOON AS I COULD GET A RELEASE FROM THE OWNER OF THE FURNITURE, THAT OWED RENT. 2011 Evansdale Drive is the vacant house, where they used to live, where I sold the furniture by an ad in the Star. Russell helped do the selling in vacant house. THERE WAS NO MENTION OF CLEANING OUT THE HOUSE WHERE THEY USED TO LIVE.

We had done that cleaning a month before.

"WHEN WE GOT THERE" We worked hard throwing 4 matresses and 2 couch pads and various other items out of the window, and they

county, Maryland, appearing on behalf of the State of Maryland.

EARL VINCENT HOGAN, appearing pro se.

(2) P R O C E E D I N G S

MR. SAUERWEIN:

Your Honor, in Criminal Appeals No. 10,713, Mr. Hogan, the defendant, was out in the hall at the time the case was called and he is here now. I would ask the Court to strike the bench warrant and proceed with the trial.

THE COURT:

The forfeiture of the bond nisi will be stricken and the order for the bench warrant will be rescinded.

THE DEPUTY CLERK:

Criminal Appeals No. 10,713, State of Maryland vs. Earl Vincent Hogan.

THE COURT:

Are you ready to proceed with the case?

MR. SAUERWEIN:

Yes, Your Honor.

THE COURT:

Are you ready to proceed, Mr. Hogan?

MR. HOGAN:

Yes.

THE COURT:

Do you want a Court trial or jury trial?

MR. HOGAN:

Court trial.

THE COURT:

Your plea is not guilty?

MR. HOGAN:

Definitely.

MR. SAUERWEIN:

Call Dennis Eastridge.

Whereupon,

DENNIS E. EASTRIDGE

was called as a witness by and on behalf of the State of Maryland and, having been first duly sworn, was examined and testified as follows:

(1) DIRECT EXAMINATION

BY MR. SAUERWEIN:

Q Dennis, will you state your full name and where you live?

A What?

Q State your full name and the address where you live.

THE COURT:

Why don't you ask the questions one at a time.

BY MR. SAUERWEIN:

Q State your name.
A Dennis K. Eastridge.

Q Where do you live?
A 8110 - 19th Place.

Q How old are you?
A Fifteen.

Q By speaking loudly into that microphone and directing your answers to his Honor will you tell the Court whether on November 22th, 1966, you had an occasion to see the defendant Mr. Hogan?
A Yes.

Q Will you tell the Court where you first saw him?
A At his house.

Q Why were you in his house?
A I was just walking by.

Q What happened when you were walking by?
A(4) A boy by the name of Douglas Shipley threw a rock at me, and I went up to tell Mr. Hogan and he went in -- I mean before that Doug went in

and he told Mr. Hogan. Then I went up to tell and Mr. Hogan came out. He kicked me and he told me to get off his property. Then he went back in and I started walking away and he came back out with a switch and he came down the steps and he hit me with it.

Q Douglas Shipley lives with Mr. Hogan, is that correct?
A Yes.

Q Where did Mr. Hogan kick you?
A On the back.

Q How many times did he kick you?
A Once.

Q How many times did he hit you with this whip?
A About three.

Q Where did he hit you?
A Over my legs

Q Would you describe this whip to the Court?

THE COURT:

He didn't call it a whip; he called it a switch.

BY MR. SAUERWEIN:

Q How long was it?
A I don't know. It's black cord like and it has wires in it.

Q How long were you talking to Mr. Hogan before he (5) first kicked you?
A I didn't even get to say anything.

Q Was anybody else present when this took place?
A Yes.

Q Who?
A A boy by the name of Bob Stanley and another one, Ricky James and one more named Johnny George.

Q Did you cry?
A Yes.

Q Did it hurt you?
A Yes.

Q What did you do after this?
A I went back - I went over into the street and Ricky James was there. He went over and ran into his house to tell his mother and she called the police.

Q Did you tell your mother?
A Yes. She drove hom about a half hour later.

Q What time was this?
A Around 5:00 o'clock.

Q Did the incident happen around 4:30?
A Yes.

Q Did you go to the doctor?
A Yes.

Q What time did you go to the doctor?
A I think it was around 7:00.

(6) Q Do you know which doctor you went to?
A Dr. Wimsatt.

(A document was marked State's Exhibit No. 1 for identification.)

BY MR. SAUERWEIN:

Q I show you this and ask you if this is the name of the doctor that you went to see?
A Yes.

THE COURT:

Is the doctor here to testify?

MR. SAUERWEIN:

No, he is not.

THE COURT:

We don't have to worry about that, because that is not admissible into evidence.

BY MR. SAUERWEIN:

Q What did the doctor do to you?
A He just checked me and he gave me a couple prescriptions.

Q What were the prescriptions for?
A One for pain in my back and another

one just to get rid of the bruises.

Q As a result of that did you have any marks on your leg?
A Yes.

Q Dennis, did you say anything disrespectful or degrading to Mr. Hogan before he kicked you?
A No.

(7) A No.

Q Did you curse him?
A No.

Q Is that the only reason you went to his door?
A Yes.

MR. SAUERWEIN:

That is all, your Honor.

THE COURT:

Do you want to ask this witness any questions, Mr. Hogan?

MR. HOGAN:

Yes, sir.

THE COURT:

You understand that you will be given an opportunity to tell your side of the story and the only purpose now is to ask questions by way of cross-examination on what he has testified to. You don't make any statements, nor do you argue your case at this time. You will be given an opportunity to do that later.

CROSS-EXAMINATION

BY MR. HOGAN:

Q Where were you when I drove up to the curb and got out of my car?
A I was over across the street.

Q You weren't in my back yard throwing clods at my boys?
A No.

Q You didn't prance up and down the front walk after I had gone away from the back yard dancing an Indian dance?
A (8) No.

Q You didn't run over to Mrs. James' front door after you went from my front gate?
A No.

Q I went out with my lash driving my boys inside and---

THE COURT:

Is this a question or a statement?

BY MR. HOGAN:

Q Didn't I go out with my lash to bring my boys in to protect them from you?
A I didn't see you go out.

Q You see well, don't you?
A Yes.

Q After I got them inside the house you didn't follow them in and open my

front door, and you were in my front door which I pushed you out?

A No.

Q You didn't hear me tell you to get off my property three times?

A No.

Q Do you know the difference between one lick and three licks? I didn't have a chance to hit you.

THE COURT:

You are making a statement. This is not proper. You will have an opportunity to testify later.

BY MR. HOGAN:

Q Did you answer? Do you know the difference between (9) one lick and three licks?

A Yes.

Q You go to school, don't you?

A Yes.

(A document was marked as Defendant's Exhibit No. 1 for identification.)

MR. SAUERWEIN:

I object to this, your Honor. I believe in fair play, but this is a note which says, "Tell Doug Shipley if he doesn't shut up about me he's going to get his face smashed in." It is not signed by anyone.

THE COURT:

It hasn't been offered in evidence; it has only been marked for identification.

MR. HOGAN:

I have a further witness to this.

THE COURT:

Do you want to ask this witness any question about it?

BY MR. HOGAN:

Q Have you seen that before?
A No----

THE COURT:

What is the answer?

THE WITNESS:

Yes.

BY MR. HOGAN:

Q You have seen it?
A Yes.

Q Did you write it?
A Yes.

(10) Q You are still after my boys, aren't you?
A No.

THE COURT:

Are you offering this in evidence, Mr. Hogan?

MR. HOGAN:

Yes.

THE COURT:

Very well, it will be received in evidence.

(The document referred to, previously marked Defendant's Exhibit No. 1 for identification, was received in evidence.)

BY MR. HOGAN:

Q How long have you known me?
A About a year and a half.

Q Not three years?
A I don't remember.

Q Did you not become acquainted with me when Douglas came to live with me?
A Yes.

Q That is over three years ago.

THE COURT:

Again you are making statements rather than asking questions.

MR. HOGAN:

I beg your pardon.

BY MR. HOGAN:

Q How many times in the past three years have you been in our home?
A I don't remember.

(11) Q A million?
A No.

Q How many meals have you eaten at our place?
A I don't remember.

Q Many.

THE COURT:

You are not testifying, Mr. Hogan. You will be given your chance. You just ask him questions now.

BY MR. HOGAN:

Q Have you eaten many meals in our house?
A A few.

Q You have enjoyed the luxuries of going to the Ambassador Swimming Pool with us many times?
A Yes.

Q Also to the zoo?
A Yes.

Q Also to Glen Echo?
A Yes.

Q You have enjoyed a lot of fun and luxuries you have never been able to get at home, have you not?

A Yes.

Q Many times it has been off again and on again. You boys have scrapped some, haven't you?

THE COURT:

That is argumentative. That is not a question.

(12) BY MR. HOGAN:

Q You didn't try to push your way into my house that evening?
A No.

Q Why did I push you?
A You didn't push me.

Q I pushed you with my foot.

THE COURT:

You are making statements again.

MR. HOGAN:

I beg your pardon.

THE COURT:

You make your case when you testify and not while this witness is on the stand.

BY MR. HOGAN:

Q Where were you when I pushed you or kicked you?
A On your porch.

Q At my front door?
A Yes.

MR. HOGAN:

That is enough.

THE COURT:

Dennis, when did you write this?

THE WITNESS:

I don't remember.

THE COURT:

You don't remember when you wrote

THE WITNESS:

No.

THE COURT:

Was it before or after the incider at Mr. Hogan's?

THE WITNESS:

After.

THE COURT:

It was after that?

(13) THE WITNESS:

Yes.

THE COURT:

What was your purpose in writing it?

THE WITNESS:

Well, Doug was saying things about me and everything else.

THE COURT:

Who did you turn it over to?

THE WITNESS:

I don't know the boy's name.

THE COURT:

You don't know the boy's name?

THE WITNESS:

No.

THE COURT:

Was he one of the boys that you mentioned earlier?

THE WITNESS:

No.

THE COURT:

What did you ask the boy to do with it?

THE WITNESS:

I didn't say anything to him.

THE COURT:

Very well, you may step down.

(Witness excused.)

MR. SAUERWEIN:

Call Robert Stanley.

Whereupon,

ROBERT JAMES STANLEY

was called as a witness by and on behalf of the State of Maryland and, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. SAUERWEIN:

Q State your full name.
A Robert James Stanley.

(14) THE COURT:

What is the name?

THE WITNESS:

Robert James Stanley.

BY MR. SAUERWEIN:

Q Where do you live?
A 9312 + 19th Avenue in Adelphi, Maryland.

Q How old are you?
A Seventeen.

Q Mr. Stanley, directing your attention to November 22nd, 1966, approximately 4:30 p.m., where were you on that date?
A I was out in my front yard.

THE COURT:

You will have to speak more plainly.

THE WITNESS:

In my front yard.

BY MR. SAUERWEIN:

Q Did you see this incident occur between Mr. Hogan and Dennis Eastridge?
A Yes, I did.

Q Tell his Honor what occurred.
A I saw Mr. Hogan hit the boy two or three times with a switch.

Q Did you see anything preceding this?
A No, sir.

Q Yes or no?
A No, I didn't see anything.

Q What direction was the Eastridge boy going?
A From the house.

(15) THE COURT:

From what?

THE WITNESS:

From the house.

BY MR. SAUERWEIN:

Q How far away were you?
A Right across the street.

Q What did you see the Eastridge boy do after he was hit by the whip?
A He started crying and walked down the street towards the Jameses house.

Q What did you see Mr. Hogan do?
A He ran back in the house.

Q Were you close enough to determine what this instrument was made of that you saw?
A No, sir. I couldn't see what it was made of.

Q Did you see what color it was?
A It looked black or something.

Q What?
A Black or something.

Q Did you overhear any conversation between the two?
A No, sir.

MR. SAUERWEIN:

I believe that is all, Your Honor.

CROSS-EXAMINATION

BY MR. HOGAN:

Q How did you and I first get acquainted?
A I never met you personally.

(16) Q You didn't play ball on my front yard?
A I played in my driveway and the balls went in your yard a couple times.

Q And I took the balls and kept them?
A Yes, you did.

Q You still played ball in the street and the balls came over in my yard?
A That's right.

Q The police came and I made an agreement with you that I would give them back if you would agree you wouldn't play ball in my yard any more?
A I never played in your yard.

Q You ran into my yard to retrieve your ball.

THE COURT:

You are making statements. I will have to cut you off on cross-examination if you don't know how to do it, Mr. Hogan.

MR. HOGAN:

I beg your pardon.

BY MR. HOGAN:

Q At the time of this incident when you saw me herding my boys in I believe you said, "Hit them, Hogan; hit them, Hogan," (shouting) didn't you?
A No, sir.

Q You don't hear well, do you?
A I didn't hear you say anything.

Q When I hit Dennis you didn't say that?
(17) A No. All I saw was you hitting them. I didn't say a darn thing to you.

Q You said you were close enough to see the switch?
A I was close enough, but I didn't hear you.

Q What did I hear you yelling yesterday?
A You didn't hear me say anything. You might have heard somebody else that was there with me, but I didn't say anything.

Q You were standing in the front door though, weren't you?
A Yes, I was.

Q What did you hear?
A I heard a boy call you a name a couple times.

Q You didn't say, "Hogan, Hogan, Hogan" (shouting)?

THE COURT:

Let's cut out this foolishness.

BY MR. HOGAN:

Q I am asking if you didn't say that? Did you hear that?
A Yes. I heard the boy say that three times.

THE COURT:

You have nothing further?

MR HOGAN:

Sir?

THE COURT:

Do you have any further questions?

MR HOGAN:

That's enough

THE COURT:

You may step down

(Witness excused.)

(18) MR SAUERWEIN:

Mrs Eastridge, your Honor

Whereupon,

MARY EILEEN EASTRIDGE

was called as a witness by and on behalf of the State of Maryland and having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR SAUERWEIN:

Q Mrs Eastridge, state your full name

A Mary Eileen Eastridge.

Q Where do you live?
A 8110-19th Place.

Q Are you the mother of Dennis Eastridge?
A That's right.

Q Directing your attention to November 22nd of last year, 1966, did you see this incident occur between Mr. Hogan and your son?
A No. I just got home from work and I----

Q What time?
A It was close to 5:00 o'clock when I got home.

Q Did you see your son at that time?
A Yes, I did.

Q Did you observe anything unusual about his condition?
A Yes. He was limping across the street and I stopped to find out what had happened and Mrs. James---

(19) Q Just tell the Court what you saw about your son. You did see your son?
A Yes, I did.

Q What did you observe about his body, if anything?
A Well, we looked at him that evening when the police was there. We talked to the police.

Q Did you see his legs?
A Yes, I did.

Q What did you notice about them?
A There was whip marks on them about this long (indicating).

Q Did you observe his buttocks? Did you observe anything else about him?
A Yes.

Q Were there any unusual marks on his buttocks?
A Yes.

Q What was there?
A It was red and simply swollen. We took him--after we got the warrant out we took him to the doctor. We called the doctor and he examined him completely.

Q Have you had a conversation with Mr. Hogan about this incident?
A No, I haven't.

MR. SAUERWEIN:

I believe that is all, your Honor.

THE COURT:

Do you have any questions, Mr. Hogan?

(20) CROSS-EXAMINATION
BY MR. HOGAN:

Q How long have you known me?
A Approximately around three years.

Q Have I called you many times on the phone about Dennis?
A A couple times.

Q I did ask you to keep him away from my property?
A Yes, you did and---

Q What was your last call to me about him?
A I said the boys had been arguing and if they would try to straighten out their differences it's okay.

Q You think that is your last call to me?
A Yes.

Q Did you call me recently to ask if Dennis had stayed at my house that night?
A No, I did not.

Q There were several nights he didn't come home, were there not?
A No. When I get home from work he knows that he is to be home.

Q He didn't stay out recently three nights and you didn't know where he was?
A No.

Q Over the past three years you know he spent quite (21) a bit of time in my home and in the yard playing with my boy?
A I do know that.

Q Did you ever permit my boy to go into your house?

A I have told my children unless we are home that no one is to come in.

Q You don't permit children to go into your home?

A Not unless my husband and I are there.

Q You know that I have taken Dennis with me on many trips to the Ambassador Hotel Swimming Pool?

THE COURT:

He said that, so there won't be any question about it. He was the one that was there, so you don't have to pursue that point.

Is there anything further?

MR. HOGAN:

I guess that is enough.

THE COURT:

Very well, you may step down.

(Witness excused.)

MR. SAUERWEIN:

That is the State's case, your Honor.

THE COURT:

Do you have any witnesses to call?

MR. HOGAN:

Yes. Suppose I speak first.

THE COURT:

Very well, you can take the stand.

Whereupon,

EARL VINCENT HOGAN

defendant herein, was called as a witness in his own behalf and, having been first duly sworn, was examined and testified as follows:

(22) DIRECT EXAMINATION

THE COURT:

Your name is Earl Vincent Hogan?

THE WITNESS:

Earl Vincent Hogan.

THE COURT:

You are the defendant in this case?

THE WITNESS:

Yes.

THE COURT:

Where do you live?

THE WITNESS:

1902 Lebanon Street in Adelphi.

THE COURT:

You are charged with assaulting Dennis Eastridge on the 22nd of November, 1966. Do you know you are not required to testify, but you may testify in your behalf and tell your version of this?

THE WITNESS:

Very well. On November 22nd I went to Baltimore on business and returned at about 4:00 to 4:30. Dennis Eastridge was at my back yard gate, which is at the side yard on the east side of my house. He was throwing dirt clods at my boys. He hit the youngest one there. We will bring him to the stand. There were two very bad bruise marks on the boy's body. As I got out of the car and went around to see what was going on he ran to Mrs. James' front door, who lives next door.

THE COURT:

But "he" I assume you mean Dennis?

THE WITNESS:

Yes, sir. I began to call my boys in to see what all the trouble was and told them to go into the house. The older one objected and I got my strap and went out and told him to get into the house. As I got inside (23) the door and went to the telephone to call the police they

hollered, "Mr. Hogan, Mr. Hogan, he's coming in" (shouting).

THE COURT:

You don't have to raise your voice.

THE WITNESS:

Very well. So I went back to the door and he was in the front porch. I raised my foot and pushed him off the front porch.

THE COURT:

Who are you talking about when you say "he"?

THE WITNESS:

Dennis Eastridge. With no violence whatsoever I pushed him off of the front porch and told him to get off my property. He made no effort to go. He moved a little further away, and I told him a third time to get off my property. He tucked his head and folded his hands--and of course he saw I had the strap in my hand---as if inviting it, and I struck him one lick. I didn't get but one lick at him and he ran to Mrs. James' front door.

I got the boys that lived ten blocks away and we all got in the car and I took them up to their home about ten blocks away and came back around to park in front of my house. Mrs. Eastridge had arrived

and had stopped across the street from my front door and they were all in a conference. Mrs. James, Ricky James, Dennis Eastridge and this young gentleman, I don't know his name, that testified here, they had a conference and went around to their own home. If there was any police called at that time I didn't see it, but I (24) was arrested in about ten days and charged with simple assault.

THE COURT:

Very well.

THE WITNESS:

That is all I will give. I will bring some witnesses.

THE COURT:

Just a moment. The State's Attorney may want to cross-examine you.

CROSS-EXAMINATION

BY MR. SAUERWEIN:

Q Mr. Hogan, you speak about your boys. They are not your boys, are they, by blood or adoption? When you are speaking about Douglas, he is not your boy, is he?
A My custody.

Q Not by custody either, is he?
A You want to see the paper giving me custody? I have him.

Q Who gave you custody?
A Mrs. Shipley.

Q His mother?
A Yes.

Q The Court hasn't given you custody?
A No.

Q You haven't gotten Douglas by adoption?
A No.

Q What other boys are you talking about when you say "my boys"? (25)
A Douglas has two brothers and four sisters.

Q They were all over there at the time?
A The two other boys were. The girls were not.

Q You say Dennis threw these clods at all these boys. Why did he go into your yard?
A I will try to get them to say. He was at my back gate throwing clods at them when I drove up. I will have to ask the boys beyond that.

Q Then he went into your place after that?
A He got the door open, but he didn't get in.

Q Did you see him hit him with a rock?
A No.

Q You say you only hit him once?

THE COURT:

When you are talking about someone

hitting someone else you will have to identify your pronouns.

BY MR. SAUERWEIN:

Q Did you see Douglas hit Dennis with a rock?
A No.

Q Did Dennis tell you he had been struck by a rock by Douglas?
A Dennis said not one word to me.

Q Didn't he say anything to you?
A Not one word.

Q He was at your front door and you pushed him?
A He was holding the door with his hand.

(26) Q You kicked him?
A I pushed him with my foot.

Q Why did you do that?
A To get him out of my house.

Q You hadn't told him to leave at that point?
A I did. I said, "Get off my property."

Q You just testified you didn't tell him to get off until you pushed him.
A Three times I told him to get off my property.

Q He was leaving at the time you hit him with that whip, wasn't he?
A No, sir. I told him he folded his hands and tucked his head inviting--

Q Have you lived in Reading, Pennsylvania, Mr. Hogan?

A No.

Q You have never been to Reading, Pennsylvania?

A I may have passed through there.

Q Now, I show you this and ask you if this is your name?

A Judge, your Honor, this has no bearing on the simple assault on the boy.

THE COURT:

When you testify you can be cross-examined on the question of credibility. I can't tell you whether it has or not. He has asked if you are the same person as that, and you can answer that.

(27) THE WITNESS:

Yes. You presented that two or three times. I believe I told you.

BY MR. SAUERWEIN:

Q It hasn't been presented two or three times.

THE COURT:

You are not suppose to make statements. You are supposed to know more about it then Mr. Hogan, so don't argue with the witness, just ask questions.

BY MR. SAUERWEIN:

Q Is this you, Mr. Hogan?
A Yes, for the third time.

MR. SAUERWEIN:

I move to introduce it, your Honor, into evidence as State's Exhibit No. 2.

(The document referred to was marked State's Exhibit No. 2 for identification.

THE COURT:

It is not admissible into evidence. You can ask him certain questions and if he answers them incorrectly then you may offer it into evidence, but it is not admissible now.

BY MR. SAUERWEIN:

Q Mr. Hogan, in 1939 in Reading, Pennsylvania, were you not charged and convicted or assault and battery on that date?
A Your Honor, it has no bearing on this case.

MR. SAUERWEIN:

I believe that is all, Your Honor.

THE COURT:

You have no further testimony, Mr. Hogan?

(28) THE WITNESS:

No, sir. I have some witnesses.

THE COURT:

You may step down.

(Witness excused.)

MR. HOGAN:

David Shipley.

Whereupon,

DAVID SHIPLEY

was called as a witness by and on behalf of the defendant and, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. HOGAN:

Q State your name.
A David Shipley.

Q Where do you live?
A 1902----

THE COURT:

Do you remember the address, young man?

THE WITNESS:

(The witness shaking head negatively).

THE COURT:

He doesn't remember the address.

BY MR. HOGAN:

Q You live with your mother?
A Yes, I do.

Q You heard this incident that Dennis Eastridge was telling about that happened on November 22nd?
A Yes, I do.

Q Before I parked at the front curb that evening where (29) were you?
A In the back yard.

Q Who was with you?
A Russell and Doug.

Q Your two brothers out here by your mother?
A Yes.

Q What had happened? Where was Dennis Eastridge?
A (The witness made no response).

Q Was he at the side yard gate?
A Yes.

Q What did he do?
A Throwing dirt clods.

Q Did he hit you?
A Yes.

Q Where?
A The ankle and my rib.

Q Did he throw other clods?
A Yes.

Q Did he hit any of the other boys?
A No.

Q Were there any clods thrown at him?
A No.

MR. HOGAN:

Very well, that is enough.

THE COURT:

Do you have any cross-examination, Mr. Sauerwein?

(30) MR. SAUERWEIN:

I have no questions, your Honor.

THE COURT:

Very well, young man, you may step down. Take your place back in the court-room.

(Witness excused.)

Whereupon,

RUSSELL SHIPLEY

was called as a witness by and on behalf of the defendant and, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. HOGAN:

Q State your name.
A .2011--

THE COURT:

What is your name first?

THE WITNESS:

Russell Shipley, 2011 Evansdale Drive, Adelphi, Maryland.

BY MR. HOGAN:

Q You heard this incident. About where were you that evening when I parked at the front curb?
A I was in the back yard.

Q Where was Dennis Eastridge?
A At the fence.

Q The side gate?
A Yes.

Q What had he been doing? (31)
A Throwing dirt clods.

Q Did he hit you?
A No.

Q Did he hit David?
A Yes.

Q David was crying very much, wasn't he?
A Yes.

Q Did either of you throw anything at Dennis?
A No.

Q When I drove up what did Dennis do?
A He went over at Mrs. James'.

Q I had you boys come in the house, didn't I?
A Yes.

Q As I went to reach for the phone you boys had followed me and what did you holler to me about Dennis? Didn't you holler and tell me something about Dennis?
A Dennis was at the door.

Q You said, "He's come in, Mr. Hogan," did you not?

THE COURT:

You don't tell him; you ask him.

THE WITNESS:

Yes.

BY MR. HOGAN:

Q What did I do?
A Well, you went to the front door and you kicked him and told him to get off your property three times and he just stood there.

(32) Q And he folded his arms and bowed

his head, didn't he?
A Yes.

Q How many licks did I hit him?
A One.

Q I only had a chance to hit once. What did he do?
A He ran over to the Jameses' again.

MR. HOGAN:

Very well, that is enough.

THE COURT:

Mr. Sauerwein, do you have any questions?

MR. SAUERWEIN:

No.

THE COURT:

Very well, you may step down.

(Witness excused.)

Whereupon,

DOUGLAS SHIPLEY

was called as a witness by and on behalf of the defendant and, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. HOGAN:

Q State your name.

A Douglas Shipley.

Q And your address?

THE COURT:

What is your name, young man?

THE WITNESS:

Douglas Shipley, 1902 Lebanon Street.

(33) BY MR. HOGAN:

Q You heard this incident about Dennis Eastridge. When I drove up to the curb that evening where were you?
A Well, I was at -- well, I was in the back yard.

Q Where was Dennis Eastridge?
A Right at the back gate.

Q What had he been doing?
A He was throwing dirt bombs I call them.

Q Clods of dirt?
A Yes.

Q Did he hit you?
A No.

Q Did he hit Russell?
A No.

Q Did he hit David?
A Yes.

Q David was crying quite badly, wasn't he?
A Yes.

Q When I arrived and came around to see what was going on what did Dennis do?
A Well, he just stood on the stair steps.

Q Before we got there, when I came up and came around the back gate to see what was going on what did he do?
A Ran over to the Jameses'.

Q But he came back?
(34) A Yes.

Q What did he carry on on the sidewalk?
A Well, an Indian war dance.

THE COURT:

What was the answer?

THE WITNESS:

A war dance, just jumping up and down.

BY MR. HOGAN:

Q You picked up a clod to throw at him in the front yard, didn't you, and I made you put it down?
A Yes.

Q I had my lash and told you to get into the house?
A Yes.

Q We four went into the house?

A Yes.

Q I started to pick up the telephone receiver and what happened?
A Well, he ran in.

Q Who?
A Dennis Eastridge.

Q Where was he?
A Right at the front---he was at the door. He opened the door up.

Q What did I tell him?
A "Get off of our property."

Q How many times?
A Three times.

(35) Q He didn't move?
A No.

Q I had to push him?
A Yes.

Q How many times did I hit him with that lash?
A Once.

MR. HOGAN:

Very well.

THE COURT:

Do you have any questions, Mr. Sauerwein?

MR. SAUERWEIN:

Yes, Your Honor.

CROSS-EXAMINATION

BY MR. SAUERWEIN:

Q Douglas, did you say he only him him once with the lash?
A Sir?

Q Why are you so sure he hit him once with the lash?
A I saw him.

Q You did see him?
A Yes.

Q You weren't in the house at the time?
A Yes.

Q You talked it over with Mr. Hogan?
A Yes.

Q All of you talked it over before you came down here?
A Yes.

Q How many times did you throw a clod at Dennis before (30) he threw one at you?
A Once.

Q Just once?
A Yes, sir.

Q Did you see Mr. Hogan kick him?
A Yes.

MR. SAUERWEIN:

I believe that is all.

THE COURT:

You may step down.

(Witness excused.)

Whereupon,

CONNIE SHIPLEY

was called as a witness by and on beha of the defendant and, having been firs duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. HOGAN:

Q State your name.
A Connie Shipley.

Q Your address.
A 2011 Evansdale Drive, Adelphi, Mar land.

Q Are you a student in Buck Lodge Jr High School?
A Yes.

Q Is Dennis Eastridge a student in t school?
A Yes.

Q Is Walter Bartlett a student in t school?

Q Have you seen this before?
A Yes.

Q Where did you get it?
A From Walter Bartlett.

Q Who had given it to him?
A Dennis.

Q Dennis Eastridge?
A Yes.

Q Then you brought it and gave it to me?
A Yes.

MR. HOGAN:

That is sufficient. Thank you.

THE COURT:

What did Walter Bartlett have to do with relation to this incident?

THE WITNESS:

Dennis gave it to Walter, the note, and I got it from Walter.

THE COURT:

Very well, do you have any cross-examination?

MR. SAUERWEIN:

No.

THE COURT:

You may step down.

(Witness excused.)

MR. HOGAN:

Mrs. Shipley.

Whereupon,

ROBERTA SHIPLEY

was called as a witness by and on behalf of the defendant and, having been first duly sworn, was examined and testified as (38) follows:

DIRECT EXAMINATION

BY MR. HOGAN:

Q State your name.
A Roberta Shipley.

Q Your address?
A 2011 Evansdale Drive, Adelphi, Maryland.

Q You heard of this incident about 5:00 o'clock on November 22nd when I brought these boys home?
A Yes.

Q You examined the child that had been crying and hit with clods?
A Yes.

Q What did you find?
A He had two bruises--that was David. He had a bruise on his rib and one on his ankle.

Q Quite red?
A Yes.

MR. HOGAN:

Thank you.

THE COURT:

Do you have any questions, Mr. Sauerwein?

MR. SAUERWEIN:

I have no questions.

THE COURT:

You may step down.

(Witness excused.)

THE COURT:

Mr. Sauerwein.

MR. SAUERWEIN:

Just briefly, your Honor. For (39) whatever moral attachment Mr. Hogan feels he has to Douglas Shipley and the rest of these boys, he certainly was out of order in trying to protect them in the event that Dennis was throwing clods first on November 22nd, and in the event that Dennis was not on his property properly he certainly went beyond the realm of reasonable force to eject a young boy of that age and of that size from his property by using a whip of that type.

THE COURT:

You are the only one that ever called

it a whip.

MR. SAUERWEIN:

The boy testified it was a whip. He testified it was a strap.

THE COURT:

I don't think it makes much difference, but the only thing I recall any of the witnesses calling it was a switch. You keep calling it a whip. Do you consider a whip worse than a switch?

MR. SAUERWEIN:

He described the switch as having wire extensions on it, your Honor. By Mr. Hogan's own testimony he testified he pushed the boy or kicked him before he asked the boy to leave. This boy had little reason, I think, to come to Mr. Hogan's property if he was the one doing the actual clod throwing. I think we can believe that the boy was going to Mr. Hogan's property to bring his attention to the fact that he had been hit by a rock thrown by the Shipley boy. What other reason would he have had for going to his property (40) or for him to react in this manner. It is completely unjustifiable. I think that is all.

THE COURT:

Mr. Hogan, would you like to present any argument?

MR. HOGAN

We brought out that after he ran from me, more or less, and when I approached him he came back trying to perform an Indian war dance on the front walk, the public walk. As I did get my boys inside he followed up and opened the door to go in the house and they hollered that he was coming in. I went back and pushed him out. Even before I touched him I told him to get off my property and two other times. Instead of getting off he folded his hands and tucked his head. As far as any questions about the instrument, here it is right here. I only got one lick at him.

THE COURT:

I was not impressed by Dennis Eastridge. He started to deny about this note and then changed it. I am afraid that on several different scores his credibility is not very great. I accept the other version of it, that is, he came onto the property when he knew he wasn't supposed to be there. Originally he started throwing clods at a much smaller boy and then came back. I get the impression he was looking for trouble, and from this note I get the impression that he is somewhat of a troublemaker anyway.

The defendant is entitled to a reasonable doubt in this kind of a case, and I conclude that what happened was in (41) a reasonable effort to get him off the property where he had no business being. The verdict is not guilty.

(Whereupon, proceedings in the above-entitled matter were concluded.)

C E R T I F I C A T E

I, Eileen G. Kimmel, Official Court Reporter for the Circuit Court for Prince George's County, Maryland, do hereby certify that the aforegoing is a true and correct transcript of my stenographic notes taken in the above-entitled matter

s/ Eileen G. Kimmel
Eileen G. Kimmel
Official Court Reporter

...ooo...

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Douglas T. Shipley, Jr., Juvenile,
By Roberta L. Shipley, his mother
and next friend.
2011 Evansdale Drive,
Adelphi, Maryland 20783 PLAINTIFF

Roberta L. Shipley,
2011 Evansdale Drive,
Adelphi, Maryland 20783. PLAINTIFF

Earl V. Hogan, Benefactor
For Douglas T. Shipley, Jr.,
Juvenile, Pretege,
1902 Lebanon Street,
Adelphi, Maryland PLAINTIFF

vs.

Lloyd E. James, Sr.,
1904 Lebanon Street,
Adelphi, Maryland 20783 DEFENDANT

Lynette Jalbes,
1904 Lebanon Street,
Adelphi, Maryland 20783 DEFENDANT

Mrs. Louis Hubshman (Caryl
A. Hubshman)
8101 Old Riggs Road,
Adelphi, Maryland 20783 DEFENDANT

Sylvania Reisher,
Prince George's County Board
of Welfare,
4318 Rhode Island Avenue,
Brentwood, Maryland. DEFENDANT

Mary K. Hill,
Prince George's County Board
of Welfare,
4318 Rhode Island Avenue,
Brentwood, Maryland DEFENDANT

David F. Wolfe,
Department of Parole And Probation,
State of Maryland,
Court House, Upper Marlboro, Maryland
DEFENDANT

Joseph C. Bruckwein, Asst. States
Attorney
State of Maryland,
Court House, Upper Marlboro, Maryland
DEFENDANT

Robert H. Mathias, Judge,
Circuit Court For Prince George's
County, Maryland,
State of Maryland,
Court House, Upper Marlboro, Maryland
DEFENDANT

Case No. 10,186

Filed about 2/15/71

DEFENDANT'S EXHIBIT # 1A

ADDENDUM BY PLAINTIFFS TO COMPLAINT, DAMAGES, AND BRIEF OF COMPLAINT.

1. This is strictly a United States Constitutional (Civil) Rights case, AND SLANDER.

2. Exerting the constitutional Civil Rights of Earl Vincent Hogan to live peacefully in the place of his choice and abode for the past eight years, and not be ejected, without cause, by vicious effort and a vow by Defendant, Lynette James on October 8th., 1963: "I WILL RUN YOU OUT OF THIS NEIGHBORHOOD, JAILBIRD". Efforts to intimidate and maliciously aggravate, with intent to run Plaintiff, Earl V. Hogan, benefactor out of the neighborhood continued for six years at a frequency of about one incident each week, culminating in a false arrest on November 23rd., 1966 of Earl V. Hogan, which did not run him out of the neighborhood. The whole Lloyd E. James, Sr. family joined in the efforts to eject Earl V. Hogan from the neighborhood.

3. The Defendant, Mrs. Lavina [illegible] Hubshman (Carol A. Hubshman) viciously joined in with all of her capacity to help run Earl V. Hogan out of the neighborhood shortly after she moved into the neighborhood.

4. ADDENDUM

WHEREFORE, Plaintiffs, Douglas F.

Shipley, Jr. By Roberta L. Shipley, his mother and next friend, Roberta L. Shipley and Earl V. Hogan, Benefactor For Douglas T. Shipley, Jr., Juvenile, Pretege demand judgment against Defendant, Mrs. Louis.D. Hubshman (Carol A. Hubshman) IN the amount of $25,000.00 for compensatory damages, plus costs of this action.

5. Attorney William H. McCullough, representing Douglas T. Shipley, Jr., Juvenile, informed all employee of both Prince George's County and The State Of Maryland, who are Defendants in this action, of the vicious intent of the Complaint No. JA - 4514, which information they totally disregarded, and proceeded forthwith to violate THE FIFTH AMENDMENT to The Constitution of The United States, which seriously damaged Plaintiff, Douglas T. Shipley, Jr. and Roberta L. Shipley.

6. Employers of employees are liable for damages caused by acts of employees.

7. Said No. JA -4514 Ruse Court Action, did run Plaintiff, Douglas T. Shipley, Jr out of his home where he had lived for three years, to the SATISFACTION to the Defendants named herein.

DOUGLAS T. SHIPLEY, JR.
Juvenile,

s/ Roberta L. Shipley By s/ Robert L. Shipley
Roberta L. Shipley His mother and next friend

s/ Earl V. Hogan BENEFACTOR
Earl V. Hogan

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DEFENDANT'S EXHIBIT # 1

(Number and Title omitted)

(Filed: 1/28/67)

C O M P L A I N T

D E M A N D F O R J U R Y T R I A L

DAMAGES

The Plaintiffs, Douglas T. Shipley, Jr., Juvenile, by his mother and next friend, Roberta L. Shipley, Roberta L. Shipley and Earl W. Hogan, Benefactor For Douglas T. Shipley, Jr., Juvenile, Protem SUE the Defendants, Lloyd E. James, Sr., Lynette James, Mrs. Louis Hutchman, Sylvia Reister, Mary K. Hill, David F. Wolfe, Joseph C. Sauerwein And Robert D. Mathias.

Jurisdiction is founded on Inherent Rights pronounced in THE Declaration of Independence OF THE UNITED STATES OF AMERICA, Mothers Rights, And on Number Five Article OF BILL OF RIGHTS AMENDMENT TO THE CONSTITUTION: A Human Right, Freedom From Twice being Taken Into Court on A Complaint, AND Article 72 A #1 Annotated Code Of Maryland as, 1967: Inherent Mothers Right of Guardianship (Without cause for abridgment)

The matter in Condo, exclusive of interests and costs, the sum of $10,000.00

EXHIBIT

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND SITTING AS A JUVENILE COURT

MATTER OF:
DOUGLAS SHIPLEY Docket No. JA-1513

ORDER OF COURT

This above matter having been heard in open Court this 20th day of February, 196[illegible],

IT IS ORDERED this 20th day of February, 196[illegible], by the Circuit Court for Prince George's County, Maryland, Sitting as a Juvenile Court, that Douglas Shipley be found to be a neglected child and is placed in custody of his mother, Roberta Shipley, under the Protective Custody of the Prince George's County Welfare Board, subject to further order of this Court, with the special condition that the said Douglas Shipley's relationship with [illegible] be [illegible]

[illegible]
Judge

of defamation to slander, injure, and disgrace the Plaintiff, Earl V. Hogan. The Defendant, Lynette James announced to certain persons, her desire to hire some person to kill Plaintiff, Earl V. Hogan, and made threats over the fence between the two houses to kill Plaintiffs Earl V. Hogan and Douglas T. Shipley, Jr. Defendants, Lloyd E. James, Sr. and Lynette James prompted, aided and abetted misdemeanior tactics of aggrevation to Plaintiffs, Earl V. Hogan and Douglas T. Shipley, Jr. to the extent that Plaintiff, Earl V. Hogan reported fourteen complaints to the Prince George's County Police against Rickey James, Son of Defendants, Lloyd E. James, Sr. and Lynette James, with the results that she threatened the life of Plaintiff, Earl V. Hogan, if he made another complaint to the Police against her son.

Through hate and spite, Defendants Lloyd E. James, Lynette James and Mrs. Louis Hubshman made a complaint to The Prince George's County Welfare Board claiming that Douglas T. Shipley, Jr. was a neglected child. On May 27, 1966 Mary K. Hill, Defendant of The Welfare Board made an inquiry at the home of the Plaintiffs, Earl V. Hogan and Douglas T. Shipley, Jr.

Defendant, Sylvia Reisher signed the Complaint JA -4044 charging that Plaintiff, Douglas T. Shipley, Jr. was a NEGLECTED child in need of care or treatment, and that Douglas T. Shipley, Jr. was found to be without proper supervision and under improper guardianship. A hearing

on the case was held in Prince George's County, Maryland Juvenile Court on December 12th., 1966 before Judge R. Lee Van Horn, who issued a verdict of "NOT NEGLECTED AND NOT WITHOUT PROPER SUPERVISION AND NOT UNDER IMPROPER GUARDIANSHIP, Defendant, Sylvia Reishier appealed the case to The Circuit Court For Prince George's County, Maryland, Sitting As A Juvenile Court.

Defendant, Joseph C. Sauerwein viciously prosecuted the case in Court on January 25, 1967, at which Judge Robert F. Mathias announced from the Bench that there had not been actual evidence to justify conviction in the case. HOWEVER, Defendant, Joseph C. Sauerwein had presented into the case evidence of Historic complaints against Plaintiff, Earl Vincent Hogan dating back to years 1961, 1963 and 1968, which cases did not have enough merit to justify the said complaints appearing in Court to substantiate those complaint. The complainant making the complaint in 1963 died in 1965 with cancer in his head, Defendant, Robert B. Mathias, Judge ordered The Department of Parole And Parole And Probation to bring into the case all HISTORY of previous complaints originating in the State of Maryland against Plaintiff, Earl V. Hogan, of which there was not a single conviction, Defendant, David F. Wolfe presented into the case all HISTORIC records, in violation of THE FIFTH AMENDMENT TO THE CONSTITUTI

On March 1st, 1963 Defendant, Mary B. Hill entered the home of Plaintiff, Roberta L. Shipley accompanied by Defendant

David F. Wolfe on an investigation visit regarding the welfare of Plaintiff, Douglas T.Shipley, Jr. During the course of investigation, Defendant, Mary K. Hill demanded an explanation of why Plaintiff, Roberta L.Shipley would not live with Douglas T. Shipley, Sr. her husband. Defendant Mary K. Hill demanded that Plaintiff, Roberta L.Shipley promptly vacate the luxurious home, which she occupied on a cash loan-rental basis of $250 per month, rented from Earl V. Hogan, Plaintiff on October 8th., 1966, when she fled to save her and her children's lives from the violence of Douglas T.Shipley, Sr., her husband. Plaintiff, Roberta L. Shipley informed Defendant, Mary K. Hill that Plaintiff, Earl V. Hogan had provided on a cash loan basis ever bite of food and necessities for her and her family since October 8th., 1966;

Defendant, Mary K. Hill instructed defendant, Roberta L.Shipley to flee back into The District of Columbia, to obtain relief assistance from The District of Columbia Public Welfare and obtain residence in The National Capital Housing facilities which requires six months to a year on a waiting list. Defendant, Mary K. Hill's attitude was like unto a judge on a bench.

As the results of herein named violations of inherent human rights, the Plaintiff, Douglas T. Shipley, Jr., juvenile, by Roberta L. Shipley, his mother and next friend, has suffered great financial loss, which could in the course of his lifetime amount to an unattainable value, millions of dollars, and has been injured emotionally and mentally and

circumstances and hindered and prevented from performing his school work, and maiming him a very sick child. Roberta T. Shipley. Plaintiff has suffered terrible mental anguish by the abridgement of her inherent right of child-guardianship, and fear for the possible further abridgement in the proceedings of divorce from her husband.

WHEREFORE, Plaintiff, Douglas T. Shipley, Jr., Juvenile, by Roberta T. Shipley, his mother and next friend, Plaintiff, Roberta T. Shipley, and Earl V. Hogan, Benefactor for Douglas T. Shipley, Jr., Juvenile, Protem demand judgment against Defendant, Lloyd E. James and Defendant, Lynette James, jointly and/or severally as the persons fully responsible for the damaging action, for damages in amount of $100,000 for compensatory damages, plus costs of this action, AND WHEREFORE, Plaintiff, Douglas T. Shipley, Jr., Juvenile, by Roberta T. SHIPLEY, his mother and next friend, Roberta T. Shipley, Plaintiff and Earl V. Hogan, benefactor for Douglas T. Shipley, Jr., Juvenile, Protem, demand judgment against Defendant, Mrs. Louise T. Hutchman for the separate furnishing of Defendants, Lloyd E. James, Sr. and Lynette James for detainment to slander Plaintiff, Earl V. Hogan and Plaintiff, Douglas T. Shipley, Jr., for damages in the amount of $3,000 for compensatory damages, AND

WHEREFORE, Plaintiff, Douglas T. Shipley, Jr., Juvenile, by Roberta T. Shipley, his mother and next friend, Roberta T. Shipley, Plaintiff and Earl V. Hogan, benefactor for Douglas T. Shipley, Jr., Protem, demand judgment

against Defendant, Sylvia Rehfield, Mary K. Hill, David F. Wolfe, Joseph C. Sauerwein, Robert G. Mathias, jointly and/or severally in the amount of $500,000 for punitive damages, based on a percentage of time term damage from February 20th., 1967 to November 18th., 1971 at which time Douglas T. Shipley, Jr. will become 18 years old and to the age of his own responsibility.

DOUGLAS T. SHIPLEY, JR.,

By s/ Roberta Lorine Shipley
His mother and next friend

s/ Douglas T. Shipley, Jr.
Douglas T. Shipley, Jr.

s/ Roberta L. Shipley
Roberta L. Shipley

s/ Earl V. Hogan
Earl V. Hogan

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Sitting as a Juvenile Court

IN THE MATTER OF

Juvenile Action

DOUGLAS SHIPLEY

No. 4511

WHEREFORE, Petitioner respectfully prays that the Court make such finding and pass such Order or Decree as the law provides.

PETITIONER s/ Sylvia Reisher
Sylvia Reisher
ADDRESS 4318 Rhode Island Ave.
Brentwood, Md.
TELEPHONE NO. WArfield 7-4600

FILED_____1965

SCHOOL ATTENDING Langley Park Elementary

...o0o...

TO WHOM CONCERNED

CUSTODY OF CHILDREN

I, The Undersigned Mother of my seven children, Judy Shipley age 15 yrs., Connie Shipley age 14 yrs., Douglas T. Shipley, Jr., age 12 yrs., Russell Shipley age 8 yrs. David Shipley age 7 yrs., Darlene Shipley age 5 yrs., Carla Shipley age 2 yrs., hereby assign custody during my confinement in the hospital for an operation, which may possibly last to August 1st., 1968 to Earl V. Hogan, 1902 Lebanon Street, Adelphi, Maryland.

I gave Earl V. Hogan verbal authority of custody over my children on July 18th., 1966 when I entered the hospital, BECAUSE my husband, Douglas T. Shipley, 247 37th. Street, S.E.,Washington, D.C. to a desperate alcoholic and wheremenger AND is not worthy of custody of my children, BUT has threatened to forcefully take custody of my children.

SIGNED and attested before me, A Notary Public in and for Prince Georges County, Maryland, This 22nd.Day of July, 1966.

s/ Roberta L. Shipley
Roberta L. Shipley

s/ Earl V. Hogan
NOTARY PUBLIC

My Commission expires July 1st., 1967.

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PRAECIPE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ~~COLUMBIA~~
MARYLAND

the 10th day of July 1967

(Number and title omitted)

The Clerk of said Court will Please enter my appearance for plaintiffs Douglas T. Shipley, Jr. and Roberta L. Shipley; in the above entitled cause.

s/ David F.Grant
s/ Emmett H. Nanna, Jr.
Address 5132 Baltimore Avenue
Hyattsville, Md.
277-4030

Attorney for_____

s/ Roberta L. Shipley
Roberta L.Shipley, for herself and as next friend and mother of Douglas T.Shipley, Jr.

Filed 21 July 1967

PRAECIPE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ~~COLUMBIA~~
MARYLAND

the 8th day of July 1967

(Number and title omitted)

The Clerk of said Court will will dismiss with prejudice any and and all Complaints, addendums, etc., made by or on behalf of Douglas T. Shipley, Jr., by his mother and next friend, and by Roberta L. Shipley in the above entitled cause, and any other claims made on behalf of Douglas T.Shipley, Jr. Plaintiff, Roberta L. Shipley, will pay the costs incurred herein.

CONSENTED TO:

s/ Harold J. Rogers
Harold J. Rogers, attorneys for defendants Lloyd E. James, Sr. and Lynette James

s/ David F. Grant
s/ Emmett H. Nanna, Jr.
David F. Grant and Emmett H. Nanna, Jr. plaintiffs Roberta L. Shipley, in her capacity as plaintiff, and as mother next friend of Douglas T. Shipley, Jr.
Address 5132 Baltimore Ave., Hyattsville, Md.

Attorney for_____

s/ Roberta L. Shipley
Roberta L. Shipley, mother and
next friend of Douglas T. Shipley,
Jr., and for herself as Plaintiff

Filed 22 August 1967.

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STATE OF MARYLAND

DEPARTMENT OF PAROLE AND PROBATION

TO EARL VINCENT HOGAN
(Address) 1902 Lebanon Street, Adelphi,
Maryland

Docket No. 733-60

In accordance with authority conferred by the Maryland Parole and Probation Law, you have been probationed on this date, 9-28-60 for a period of 1 yr.- * by the Hon. Dorsey Judge, sitting in and for the Circuit Court at Prince George's County, Maryland.
Sitting as a Juvenile Court

without findings of guilt

It is the order of the Court that you shall comply with the following general and special conditions of probation. The general conditions are as follows: (a) Refrain from the violation of any penal laws or ordinances. (b) Live a clean, honest and temperate life. (c) Keep good company and reasonable hours. (d) Keep away from all undesirable places and avoid undesirable associates. (e) Work regularly or attend school. When out of work or unable to attend school, notify

your Probation Officer at once. (f) Do not leave the city or community in which you reside or the State of Maryland without first having obtained permission from your Probation Officer. Notify your Probation Officer of any contemplated change of address. (g) Contribute regularly to the support of those for whose support you are legally responsible. (h) Follow the Probation Officer's instructions and advice. The law gives him authority to instruct and advise you regarding your recreational and social activities. (i) Report promptly on the date set for reporting. If for any unavoidable reason you are unable to do so, communicate with your Probation Officer without delay. (j) Permit your Probation Officer to visit your home or place of employment at any time. (k) Attend regularly, the church of your choice.

The special conditions ordered by the Court are as follows:

Must receive treatment from a private psychiatrist who will file a written report with the Court within one year.

You are hereby advised that under the law the Court may at any time revoke the probation extended you and order you brought into Court for sentence to some Penal Institution or to impose the sentence which it might have imposed in the first instance.

The Court has placed you on Probation

because it believes you will be sincere in your efforts to live up to the above conditions and thus benefit yourself as well as the community in which you reside.

You will report as follows:

s/ Raymond

s/ Merriet P. Raymond
Probation Officer

Address Box 248
Upper Marlboro, Maryland

s/ Mr. Libert

(Signed) E. V. Hogan
Probationer

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SUPREME COURT OF THE UNITED STATES

October Term, 1969

HOGAN *v.* JAMES ET UX.

APPEAL FROM THE COURT OF APPEALS OF MARYLAND

No. 1055. Decided March 23, 1970

PER CURIAM.

The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for a writ of certiorari, certiorari is denied.